THE BLACK PANTHER

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THE BLACK PANTHER PARTY

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ALPRENTICE 'BUNCHY' CARTER DEPUTY MINISTER OF DEFENSE BLACK PANTHER PARTY L.A., CALIFORNIA
BORN: OCTOBER 12, 1942 ASSASSINATED: JANUARY 17, 1969.



If we are to commemorate Alprentice Bunchy Carter, let us then remember, especially at this time when the fascist dogs are over-anxious with hunger to crush our people, all oppressed people in the very birth of struggle for the liberation of mankind, let us remember the genius of Bunchy Carter. It was Bunchy who exposed to many of us the true genius of our leader, Minister of Defense, Huey P. Newton. But Bunchy Carter was a wise-practitioner of the ideas of Huey Newton. And that was his genius.

The first Chapter of the Black Panther Party to be formed outside of the Northern California Bay Area was the Southern California Chapter. And Bunchy organized and became the driving force of that Chapter. Following Huey's example, he organized the most wretched and dissatisfied, the baddest, the poorest of Black people, those who hated everything, for everything seemed bent on their destruction, those who only gave respect to another brother because he was badder than them. And that was what Bunchy was. He'd tell you he was the Mayor of the Ghetto. Just about every nigger in Los Angeles knew Bunchy and respected him (if you didn't remember his name, he'd tell you it was Bunchy, like a bunch of greens).

Bunchy had been a Slauson (one of the largest gangs in Los Angeles - on the Eastside) until he went to prison. He did four years at Soledad, where he became a Muslim and met Eldridge Cleaver. When he got out of prison, he and some of this old partners put together a group known as the Wretched of the Earth (based on the title of one of Frantz Fanon's books). It was a Black Nationalist organization with the goal of liberation of Black people by any means necessary. But this group lasted a very short time, because Bunchy heard about an organization called the Black Panther Party for Self Defense.

In February 1968, the Southern California Chapter of the Black Panther Party was officially opened. And from that time to January, 1969, the genius, the talent of Bunchy Carter flourished and shot a bolt of light, love, revolutionary drive into all of us, and crystallized understanding of the true nature of the dog oppressors and what we needed to do, to implement in deeds to smash the pigs and every last vestige of their insane society.

It was a special quality, a unique understanding and way of getting it across to people that we might remember, that we cannot forget. He would translate for us, tell us in the words of the ghetto, that the alternatives were few, really none. That there was no out, no option. Our liberation, our survival is dependent upon our fight. Dependent upon the strength of our blows and the magnitude of those blows. He would say that Revolution meant bloodshed and guns. Simple. No way of blocking out that reality. He even said it in poems. "...You know you tired of all this ... / Do something, nigger, if you only spit...".

And for those of us who would dare to say we were Vanguard soldiers, members of the Black Panther Party, the commitment was a price, a shortened life that had to be used in every minute for the benefit of our people. He would remind us that we had no other commitment than to the People through the vehicle of the Black Panther Party. And that if we loved the People and the Party, every day was merely a gift of time to give, to use for spreading the information we have, among the People and dealing death blows to the pigs. He taught that. He was that.

January 17, 1969, bootlickers of the now-defunct black lackey cult known as the US organization assassinated Bunchy Carter. A cult whose only reference in History will be that they snatched life and breath from Bunchy Carter, that they shortened the time of leadership to his people and left us bereft. Words are insufficient for that. But we had our view of the man, we knew his work, we loved him, and we remember him.

LUMBERTON, NORTH CAROLINA

SOUTHERN CITY OF RACIST EXPLOITATION AND OPPRESSION



shanties have been standing since slavery

A new constitution is in order because these people, like millions upon millions throughout the United States, are the constant victims of this criminal United States Government. Babylonian ruling class criminals that use an illegal document called the U.S. Constitution to justify their illicit acts against the masses of people within the confines of Babylon. The present constitution states that every citizen has the right to life, liberty, and the pursuit of happiness. Yet, as we survey the situation in Lumberton, N.C. we see avaricious businessmen that exploit the people from the stand-point of their labor and on the other end as consumers.

Goodyear Rubber Company, which is a company conceived out of economical exploitation domestically and internationally, has a plant in Lumberton. Burlington Mills, another product of U.S. imperialism also located one of its plants in Lumberton. These two industries of exploitation on an international level continue to reap enormous profits by hooking up with the government, (Industrial-Military Complex), and exploiting the people of Lumberton. The government and these two industries have signed defense contracts. The industries provide rubber footware, army fatigues, underwear and sandbags among other things for an imperialistic army. Fort Bragg, and Camp Lejeune, two military installations, are close in distance to Lumberton.

Despite their astronomical profits, these two industries see fit to pay their employees a bare minimum wage of $1.60 an hour, while at the same time pulling in millions. No matter how much the people increase production, they never receive any of the benefits of the fruits of their labor. Little racist farmers also exploit the people that work on their tobacco and cotton plantations. These racist farmers steal land from the people with the aid of state level, bigoted, politicians and pay them little or nothing for their labor.

Housing for Black people is not fit for the shelter of human beings. The city is divided by a bridge that runs across a large creek that runs through the city. White people live on one side in good houses, with paved clean streets, and rolling green lawns. In nigger town the streets are made of mud and the houses are nothing more than propped up shanties that have been standing since the days of old slavery. The houses are located in almost inaccessible places that have paths leading up to their back doors through an overgrown field that looks like a jungle. Wood and coal serve as fuel for cooking and keeping warm when the freeze of winter rolls around. The government came into the community about a year ago with a jive urban renewal program (Nigger Removal). They brought a number of dilapidated shacks that still have the toilet on the outside of the house in the backyard. It has been more than a year since these houses were purchased from racist slumlords, but the people continue to live in them because they have no other place to go.

Foul smelling sewage stifles the community as it flows from the White community into the Black community. The city refuses to move on this problem right away and lets broken sewer lines empty defecation into the Black community. Children in the Black community have to walk three to five miles across busy highways to get to the only available recreation. There are numerous bootleggers throughout the Black community where brothers and sisters go to drink whiskey to attempt to relieve some of the frustrations and pressures of their every day struggle to survive.

The pigs of Lumberton worked no longer than to 2:00 a.m., then all of them go home. They have the niggers in such a state of disillusionment that they don't even find it necessary to maintain all night surveillance on the Black community. The only time niggers run into the pigs is when they have gotten drunk and the pigs come to arrest them. If a brother or sister offers resistance of any kind the pigs immediately send them off to Dorothy Dix, a mental institution for the insane. The pigs do this without even allowing the people a trial, there is no such thing as due process of law. The pigs do this without any pretense, they blatantly violate the supposed constitutional rights of the people without blinking an eye.



Sam Williamson arrested for public drunkenness

One case in particular concerns brother Sam Williamson. Brother Sam was arrested for public drunkenness. The pigs tried to brutalize Sam at the pig pen but Sam resisted to the point that he jammed four pigs pretty good. The pigs, with their warped mentalities, called Sam an insane nigger and sent him to Dorothy Dix for 60 days, without him ever going to trial. At the time of his arrest, Sam was driving a 1969 car. When Brother Sam was finally released from the mental institution after serving his time, the pigs had sold his car and said they knew nothing of the car.

There are some niggers, brothers and sisters, in Lumberton that have said, "enough is enough," we've come to the end of the road; no more can we bear this heavy load. They realize for Black people, especially in Lumberton, that life, liberty and the pursuit of happiness is nonexistent. They realize that instead the masses are plagued by misery, hunger, and the pursuit of fascist dog pigs.

In recognizing their plight these brothers and sisters have vowed to mobilize the people of Lumberton, N.C., and get to the Revolutionary People's Constitutional Convention to write a document that will guarantee all people their human rights and assure them justice and peace from all reactionary elements of this decadent American society.

DEATH TO THE FASCIST PIGS

N.C.C.F., Winston-Salem, N.C.



WE WANT A PEOPLE'S CONSTITUTIONAL CONVENTION

Power to the people brothers and sisters, the Black Panther Party and other revolutionary and progressive groups and people are in the process of convening the final sequence of an unprecedented chain of events. We are in the process of convening the Revolutionary People's Constitutional Convention in Washington, D.C., the lair of reaction, on November 6-10th.

As you may very well recall, the first phase of the Constitutional Convention started June 19th Jubilee Day, the day Abraham Lincoln was supposed to have freed Black people. On this day June 19, 1970 the Black Panther Party held a rally and national press conference at Lincoln Memorial, Washington, D.C. Even though there were official and non-official pigs trying to obstruct our gathering, the rally and press conference came off successfully because of the hard work of the community people everywhere. I am very happy to say that all the events-rally, press conference, planning session at Howard University, and plenary session in Philadelphia have been successful and rewarding; and again, it was the devotion hard work, and know-how of the people that made it so.

So we are asking you again brothers, and sisters, the poor and oppressed come out to this convention. Join us on the stage of history. Let us write this constitution, this ticket to our long sought freedom, together, and for those who would attend but haven't the transportation let their more fortunate comrades aid them by contacting the Black Panther Party of N.C.C.F. offices in their home town, city, or state to the desirability of making their car truck, or bus (with or without them driving) temporarily available. For us who haven't a place to rest our heads during the convention, shelter must be found, and our people must eat. We are therefore asking the people to offer whatever they possibly can in way of contribution to the convention, so that this can truly be a people's convention. To all the outcast and oppressed.

ALL POWER TO THE PEOPLE!
DEATH TO THE OPPRESSORS!

Bernard Miles
Washington, D.C. Chapter
Black Panther Party

PIG RESPONSIBLE FOR DEATH OF 15 YEAR OLD BROTHER

Early Saturday morning about 1:00 a.m. a 15 year old brother, Alan "Snake" Dendy, was fatally wounded by an unknown assailant. An ambulance was called, but didn't arrive until about 1:30 a.m. When the ambulance finally arrived they refused to give the brother medical attention and refused to take him to a hospital. The brother was lying in the ditch breathing very hard which was a clear indication that he was still alive, but still the ambulance attendants refused to remove the brother from the street, let alone give him medical attention. The pigs were first to arrive on the scene, about 10 carloads of the low natured dogs. Instead of their taking brother "Snake" to the hospital or giving him medical attention, they swarmed through the crowd that had gathered asking questions and harassing brothers as they always do.

The people who were around the brother attempted to give the brother some attention, but their attempt was in vain. The foul traducers ordered the people to get back away from the brother. The racist ambulance attendants were simply standing around scratching their thick heads talking to one another while brother "Snake" was nearing his death.

At the end of this time, which was about two hours, brother "Snake" was no longer breathing. Finally noticing the brother the fascist swine and the racist ambulance attendants went over and covered the brother with a sheet. The people asked them why did they refuse to move the brother until he was dead the pigs oinked as they had before; "We didn't have permission to move him." This is just another clear example for the people. The racist oppressors and their running dogs are waging an all out mass genocide against all poor and oppressed people in particular. All poor and oppressed people have no rights that the exploiting oppressors are bound to acknowledge or respect.

ALL POWER TO THE PEOPLE
DEATH TO THE FASCIST PIGS
THEIR RUNNING DOGS, LACKEYS, ENDORSERS, AND SUPPORTERS BECAUSE THAT'S ALL THEY GOT COMING.

N.C.C.F., Winston-Salem, N.C.
Malik

THE WELFARE DEPARTMENT IS CLOSED

The People's Welfare Rights Organization has observed, and experienced the human misery of having to go without food, housing, clothing, medical care and emergency needs, because of the work schedule of the welfare departments. The needs of people go on day in, day out, all hours of the day and night, unregulated by time schedules or pay scales of social workers or welfare departments, or county budgets. The needs go on, but so also does the denial of these needs go on, because the Welfare Department is closed. They are closed from Friday at 5:00 P.M. to Monday at 8:00 a.m.

The People's Welfare Rights Organization does not intend to relieve the frustrations of people who have these needs denied by the welfare departments closing hours. We intend to answer to the needs temporarily, while confronting the welfare departments with their responsibility to promote new ways of answering the needs. New time schedules, new closing regulations, open offices for constant services to people who are in helpless positions at any hour, night or day. We intend to direct the people's frustrations where they should be, to the institutions and the people supporting those institutions, that are responsible for the denial of basic human necessities.

With determination: People's Welfare Rights Organization.

PIG KICKS OUT ALL OF SISTER'S TEETH

The inhuman, bloodthirsty henchmen of Bozo's (Rizzo's) fascist team went into action again Wednesday, September 23rd, fulfilling their role as public enemy number one.

Mrs. Eloise Williams, of 3020 Titan Street was driving home from a drive-in restaurant with her 3 children when she found the way to her street blocked by some brothers who were dealing with some White racist. A foul, filthy pig told her to move her car and she said that she would when the boys moved from the street. The pig oinked that he couldn't wait, reached inside her car and smacked her. When she told him to stop, this scum of society grabbed her out the car by her neck and oinked, "I'm tired of you niggers." And began beating her with his law 'N' order stick. He then kicked all her teeth out of her mouth. Another sadistic pig reached inside the car, where her 3 children were and stepped on the gas pedal which sent the car crashing into a wall. When the pigs (including some bootlicking nigger lackeys) threw the sister in the wagon, they beat her with blackjacks. Sister Williams is now in Philadelphia General Hospital with a fractured skull and no teeth. The racist who brutalized her, acting true to his nature as a pig (masquerading as the victim of an unprovoked attack) claims that she ran over his foot, then bit him, which is untrue! She now faces the trumped up charges of assault and battery on a pig, resisting arrest and disorderly conduct and is supposed to go to court on October 6th.

The actions of these slimy night riders throughout the Black colony in America make the Nazi's fascist thing look like a church tea party. Petitions, complaints to the pig department are less than useless. The only thing a pig will understand is to find himself looking down the business end of the barrel of a gun (the end Black people have been looking down for 400 years). To insure our very survival, we must arm ourselves from house to house, block to block community to community, and form armed self defense groups. They won't go away, we have to blow them away. The only good pig is a dead pig!

Philadelphia Chapter
Black Panther Party

HIGH POINT, N.C.

FASCISM AT CENTRAL HIGH SCHOOL

Malcolm said, "If George Washington didn't get independence for this country nonviolently and if Patrick Henry didn't come up with a nonviolent statement and you taught me to look upon them as patriots and heroes then its time for you to realize that I have studied your books well."

The school faculty at High Point Central High School is very racist. It all started at the beginning of the school year when brothers and sisters were trying to politically educate the students to the fact that they should be able to learn their true history and should be able to choose their own curriculum. They had been opposed in their efforts to get the curriculum they wanted by dog Jerry Shoavers the principal. Larry Medley, one of the brothers, trying to initiate the change was approached and threatened by pig Shoavers, he was told that if he continued to try to politically educate the Black students, he would be thrown out of school. But this did not discourage the brother, because he is strong in his beliefs. After this incident Larry and two other brothers (George Dewitt and William Douglass), went to the office to talk to the principal about the crap that he was handing down. Their rap to the fool about getting Black studies was so strong that the principal called them Black Panthers. After seeing that he couldn't stop them, he moved to kick them out of school on trumped up charges. After the brothers were kicked out, a bootlicking guidance counselor told George that he should go to law school to become a lawyer, because he was a "heavy rapper". After the brothers were told to leave the school grounds, pig Shoavers had the Chief of the Pigs (Prichett) to follow them around like dogs; the excuse for this action was suspicion of them being Black Panthers. How can they be Panthers, when there are no Panthers in High Point?

So pigs, Shoavers and Prichett, harassed and intimidated the students of the school to try to get information on the brothers to see if they really were Black Panthers. One of the brothers who played football, Eugene, was harassed by Prichett and the brother had to stop playing football. The brother is now planning to leave the school.

Shoaver's true fascist colors showed through once again by intimidating and harassing two sisters. The day before Dora and NeNe were expelled, Shoaver called Dora into his office and questioned her about her political beliefs. They were asked questions such as "Do you believe in the Panthers, What do you have to do bad to become a Panther, Are Larry and George Panthers, Why does your mother let Larry drive her car? etc.

This dog has been intimidating other students in the same manner asking them questions about Larry, George, Dora and NeNe, they are also threatening to put the students out of school if they don't answer. People! How many more students will you let Shoaver put out before you rise up and see justice done? The next person could be you.

ALL POWER TO THE PEOPLE
Dora Gray
George Dewitt

CAPITALISTIC PARASITES INVADE THE COMMUNITY



Family has to eat dinner off crates

The capitalistic method of success that is being perpetuated against the Black community will halt! The people of Los Angeles exposed another avaricious businessman, John Philpott of Royal Outfitters. This two faced pig and his puppets attract victims through "false advertisement" of his wares and then overcharges the low-income and welfare customers on installment purchases in his furniture store.

A victim, Willie P, Hancock of 1634 W. 50th street in Los Angeles went into Royal Outfitters (123 E. Vernon Ave) and purchased a dining room set for his six children. Surviving on a settlement of $87.50 from a back injury, Brother Hancock was harrassed after the first stage of exploitation with ridiculous payments of $1.50 a day for every late day of payment

The puppet agents of Royal Outfitters, after selling rejected and scared up hand repaired goods, had the nerve to repossess the furniture to sell again to another victim. This dog can't keep the business running in a normal fashion, so he exploits the masses for greedy gains by any means necessary keeping all the profits in his family.

The masses of the people having become aware of the dogmatic repossession practice of Philpott and Royal Outfitters attempted to use the courts to rid themselves of this parasite. The state filed a suit charging the two faced nigger with consumer fraud seeking an injunction of $2500 civil penalties for each violation of misrepresentation by business owner John Philpott. This so-called humane act of the state is not sufficient. Everyone knows the fascism of the courts, their length of deliberation, and all their "justifiable" acts of harrassment. Therefore the PEOPLE MUST DEAL WITH THIS CAPITALIST AND DELIBERATE A PEOPLES JUSTICE!

WIPE OUT THE CAPITALIST
ALL POWER TO THE PEOPLE
Southern California Chapter B.P.P.

LOS ANGELES PLANNING SESSION FOR THE REVOLUTIONARY PEOPLE'S CONSTITUTIONAL CONVENTION

In Philadelphia they gathered more people than the hall could handle. Thousands assembled to talk about and write a new Constitution for the people of America. Their mere presence constituted a Declaration of Independence from the social, political and economic system of the American ruling circle. The same ruling circle which had twisted, distorted, and slanderized the old Constitution. And now, all across the country, revolutionary people are meeting to gather opinions and formulate ideas for the Revolutionary People's Constitutional Convention called by the Black Panther Party for Washington, D.C. will write a new document for the people which will meet the needs of all the people. Here in Los Angeles, there have been workshops, fund-raising, and general meetings to plan for the historic event. On October 3rd at a local movement center, the Ash Grove, people gathered to discuss, plan, and coordinate the local effort.

Called by the Liberation Union and Citizen's United for Political Prisoners, the meeting at the Ash Grove was briefly addressed by speakers, Don Freed, Milt Zaslow and Ron Ridenhour, and then broke up into workshops. While the speakers outlined the tone and mood of the situation, the actual work was done in a series of nine workshops (to be enumerated later). Milt Zaslow was the first speaker and when he declared that "The time has come to declare the constitution of the United States as decadent, degenerate, obsolete, and worthy of being confined to the ash can of history," he was answered by resounding applause and cries of right on! From there Milt went on to explain that that was the very reason a Convention was being called. Ron Ridenhour was the next speaker and he enumerated two of the major areas where the old Constitution failed: the court system and the prison system. Thus, it is the duty of all people to work for the freeing of all political prisoners of the ruling circle. Don Freed, who was present at the Philadelphia plenary session, then spoke. He emphasized that Philadelphia could have taken place anywhere. While the convention was 90% third world, it was also 90% Philadelphia and thus really could have happened anywhere. But the enthusiasm and political consciousness which was present was overwhelming. As Freed put it, "The revolutionary People's Constitutional Convention brought thousands upon thousands of people into the streets at an unbelievably high level of conciousness." But also as Freed said, the people didn't go there just to hear speakers. They came to take part in the workshops and plan on writing a New Constitution. As in Philadelphia, this was the case in Los Angeles. In the workshops at the Ash Grove, the time had come to get it out.

While the worshops each discussed specific issues, every group planned more meetings and how to raise funds to send people back to Washington on November 6-8. The plan is to raise enough money to charter a plane and send 250 people back to the Convention. If this could be done, the round trip cost, including housing and meals, would be about $110.00 per person. In the workshops, people discussed funds as well as the Convention. Discussion generally centered on how to write a Constitution rather than how we will implement it. Spirit and consciousness prevailed and camaraderie ran high. Each group planned another meeting and invited all interested people to attend. So that you will know where to go, here is a list of all the groups, along with the date, place and time of their next meeting:

1.) Human Rights and Ecology (to be announced)

2.) Education (to be announced).

3.) Revolutionary Art
(to be announced)

4.) Economic Rights (to be announced).

5.) Law, Justice and Political Prisoners.
Saturday, Oct. 17, 1 P.M.
c.u.p.p. office
421 S. Western, Room 201
Tel. -- 3888-7665

Womens Liberation Front
(to be announced)

Military and Police
(to be announced)

Third-World National Minorities
(to be announced)

Gay Liberation Front
(to be announced)

A second general meeting, consisting of all the workdhops plus other interested people, has been called for Saturday, Oct.24th noon, at the Ash Grove, 8162 Melrose, Los Angeles. For more Information on any of the workshops, as well as information on the next general meeting or the Convention itself, call 388-7665

As you can see, people in Los Angeles are getting it together for the Convention. Remember, it is a People's Constitution, so help out by going to one or more of the workshops and doing it. While the ideas are gathered and formulated, funds are being raised to send as many people as possible to the Convention. All contributions should be mailed to :

Black Panther Party
P.O. Box 73297
Los Angeles, California 90002

ALL POWER TO THE PEOPLE
NOW!

WE REMEMBER JAMOTIE

WHO WAS JAMOTIE? HE WAS A REVOLUTIONARY BLACK OF WILMINGTON, DELAWARE. THE BROTHER WAS ONLY 17 YEARS OLD, BUT TWICE AS OLD IN KNOWLEDGE. HE HAD BEEN RAILROADED ONCE INTO A CONCENTRATION CAMP FOR A CRIME HE DID NOT COMMIT.

MR. JAMOTIE MOYEN WAS A RESIDENT OF DELAWARE STATE COLLEGE FOR A SHORT TIME. HE WAS NOT A STUDENT, BUT HE WAS AN EXPERIENCED LUMPEN WHO KNEW WHAT REVOLUTION REALLY IS. AS THE LAWS OF SLAVERY SO OPPRESS US, HE WAS WITHOUT THE ESSENTIALS OF SURVIVAL FOOD AND CLOTHING. THE BROTHER KNEW THE PIG GAME, AND RESISTED TO THE END. WHEN JAMOTIE NEEDED WHAT HE COULDN'T AFFORD, HE PLAINLY, WITH ALL JUSTIFICATION USED WHAT HE HAD TO GET WHAT HE NEEDED.

THE FASCIST PIG OF THE DOVER PIG FORCE, THOUGHT THIS WAS JUST ANOTHER SILLY DEFENSELESS NIGGER. THE BROTHER WAS FOLLOWED TO HIS PLACE AND THE PIG SAW THIS AND EXCELLENT SPOT FOR SLAUGHTER. BROTHERS AND SISTER, DIG! WHEN THE PIGS TRIED TO VAMP ON JAMOTIE, HE RETALIATED WITH A SHOTGUN BLAST THAT SENT ONE PIG TO THE CEMENTARY.

LET THIS BE A LESSON IN OUR OWN HISTORY THAT PIGS ARE SICK PEOPLE WHO TAKE KILLINGS AND OUTRIGHT SLAUGHTER AS AN AMERICAN SPORT. THE REVOLUTION IS NOW, ARE YOU READY? IF NOT YOU BETTER GET READY!

RESIST TO EXIST!
ALL POWER TO THE PEOPLE!
YOURS IN THE STRUGGLE

BLACK STUDENT LEAGUE
D.U. ROOM 134 STUDENT CENTER
PHILADELPHIA BRANCH
BLACK PANTHER PARTY

PIGS AND SOME GANGS ARE WORKING HAND IN HAND IN PHILLY

Most members of the Black Panther Party used to at one time or another be affiliated with gangs, but as we grew older, as our minds became politicallly oreinted, we graduated from that gang warring status into servants of the people. But here in Philadelphia some niggers are still running around overly concerned about killing another Black person. It has reached a level where it won't be tolerated by the people nor the party anymore. We realize Blacks killing Blacks is good for this capitalistic system, while it is harmful for the masses. This is why the pigs endorse gang wars by ignoring the calls from the people in the community to prevent a possible gang confrontation. Anything that is harmful to the people has to be stopped, this is why the Black Panther Party called for a gang conference in August 1970 to come to an agreement with these brothers who were involved. Evidently, some niggers just came to see who was from the different gangs, so they would be able to identify them in the streets. Some never attended. Others dug on what we were talking about and came to our aid in fixing up the office and doing community work while forming an alliance with other rival gangs during the raids on our offices here in Philadelphia.

On October 3, 1970, a community worker, Lorraine Edwards, was punched in the mouth by a member of the Empire gang in West Philadelphia while leaving a store The reasons leading up to this event are clear and substantial. The pigs and various gangs are working to try and sabotage the works of the party by attacking Panthers and running back and forth through the same street our office is throwing bricks attempting to provoke some action on the part of the Party. But these fools fail to understand that we're a political organization, and we don't have the time to be gang warring with them because we are to busy providing servide to the people. These niggers are beginnigng to act in the manner of pigs and if they continue to be responsible for the killing of innocent bystanders the, they will be an element in the way of our freedom that has to be removed. The Black Panther Party never reacts to the pigs, we make them react to us, by getting up at five and six o'clock in the morning serving free breakfast to the children and doing constant community political organizing. It's these same niggers who when a brother looks at them wrong, they're ready to throw gasoline on him and ignite it. But when a pig from another part of town tells them to clear the corner, you see niggers getting in the wind. Why? Because some niggers would rather attack people who are not oppressing them, while leaving the oppressors untouched because they fear the might of their enemies.

Needless to say, to many Black youths have fallen at the hands of roving gangs who have sold their souls to the pigs by participating in their genocidal activities.

The Black Panther Party wants the people to know who these gangs are, and realize at the same time that the pigs are the sole engineers of this action, and if you want to solve a problem, you must get to the roots of its existence........ the pigs!

These are the niggers who are living at the expense of other people. Huey P. Newton clearly labeled them as illegitimate capitalists. Individuals who don't care about you or me, and as soon as the pigs come in the colony oinking about a porgram that would be beneficial to them alone, they become involved.

We know the cause of this is manifested in the pigs, because we have "enemies within and enemies without." But they are the ones who after the pigs are finished using them, become victims of their own actions, this time, at the hands of the pigs their endorsers. No longer will we allow you to run rampant without the people knowing who you are and dealing with you at the same time.

AN ATTACK AGAINST ONE IS AN ATTACK AGAINST ALL

Dant'e
Black Panther Party
Philadelphia Branch
Philadelphia, Pa.

LOS ANGELES

SLUMLORD HOLDING HANDS WITH INVADING PIGS IN UNIFORM



Mrs. Marylain

Another avaricious slumlord has once again, with the natural charateristics of a low-natured beast, lied, cheated, jailed, evicted, and caused bodily harm to a member of the Black community, Mrs. Marylain of 833 E. Imperial Hwy. in Los Angeles.

Struggling for the basic needs of any human being under this yoke of capitalism, Mrs. Marylain had to contend with indecent housing provided by the bootlicking slumlord. Broken windows, chipped and peeling paint, and a non-functional stove and refrigerator all were promised to be dealt with last June 1970. In July, Mrs. Marylain received two and three degree burns and had to have three surgical operations at the Doctor's Hospital after the malfunctioning stove blew up on her. The two-faced lying dog then came to Mrs. Marylain, telling her not to see a lawyer because he would replace the stove, free of charge. Naturally seeing this pig for what he was, the sister refused.

Two weeks later he made a proposition to her in the form of $200 and four months rent free in another small apartment. At the same time, pig Willie filed a suit aginst Mrs. Marylain for so-called damage done to his property, charging her $475. (This case is still pending).

Still not content with exploiting the sister and hurting her, the slumlord struck again by sending storm troopers to her door. On Sept. 23 at 8:00 a.m. the marshalls kicked in the windows and doors of her apartment as she lay in the bed with an oxygen mask, trying to get over an asthma attack. The heartless pig forced Mrs. Marylain to her feet and out of the apartment with no clothes and without any of her belongings. She asked the pigs to get her purse but instead they grabbed her sewing kit and consequently tried to charge her with possession of a thumbnail clipper and things of that nature. The possession charge was changed to an interfering charge and her ransom for this charge was was $625. When she later went to court on this charge, the fascist clerks surprisingly couldn't find any records of the case.

Once out of jail, Mrs. Marylain attempted to get her belongings. After allowing the sister into the apartment, dog slumlord Willie ran upstairs and called the pigs. Mrs. Marylain noticed that one squad car had parked across the street from the apartment and asked Mr. Willie about this. The slumlord said it was okay and not to worry. As soon as Mrs. Marylain got halfway to her daughter's house, two squad cars of gestapo pigs with flashing lights and guns waving stopped the family. Mrs. Marylain, her daughter Cherly, Lee Hammerton, her son-in-law and her grandchildren (ages one and four) were all arrested on an alleged burglary charge. The fascist pigs also returned to the apartment to get their sixth victim, Bill Grant, an uncle. After two hours of bureaucratic pig business, harassment, and interrogation the family was released.

High rent for unsufficient housing, trumped-up charges and false suits, general out and out harassment and exploitation of the Black community, must be stopped. The fascist US government not only fails to eradicate these atrocities, but actually dictates and endorses the actions of its agents (pig slumlords and racist pigs). The people must implement means to provide protection from all politicians. We must control our own communities to be sure that everyone in the community is sincerely working in the best interests of the people. We must unite for self defense, and remove all pigs and reactionary elements from our communities, by any means necessary.

ALL POWER TO THE PEOPLE
DEATH TO ALL FASCIST AND AVARICIOUS PIGS

Southern California Chapter
Black Panther Party

LETTER FROM A BLACK G.I.

All power to the people and death to the many, many fascist pigs that are here and back in the world (U.S.A.)! The Vietnamese people will triumph only when the U.S. forces leave and let them run their country the way they had ruled it before the forces came and tried to change their form of government.

The clipping I have enclosed in this letter is one that I read here; (this refers to some nigger pigs who were dealt with by the people of New Orleans because they tried to frame members of the N.C.C.F. there) I see what Eldridge Cleaver meant by them using the brother as a tool against their own kind. Those two 'brothers ' should have been offed or should be on the " 10 most wanted" list for trying to do in their own kind; but that is the way the racist, fascist rulers of the U.S.A. are trying to have things go. These informers are the flunkies for the White organization. You are either with the people or against them. You can be part of the solution or part of the problem or you can just be nothing. The brothers that are sent to the R.V.N. are the result of White man trying to eliminate the numbers of brothers in the world. The brothers are political prisoners and will be as long as they stay in this White man's army.

Eldridge Cleaver states in his letter to the brothers that they should either quit the Army or destroy it while he is a prisoner of it; well I have chosen the latter destroy or cause destruction of those who could come into some form of power. The problem lies in Oakland, California, and any other place where there is an induction station; that is where you have to inform the brothers that they are making their mistake right there before they sign their souls away for good or just two or three years. Those years are total losses in their lives they could stay in jail and be better off than in the White man's army or service.

I find the majority of brothers that I see are fresh in the country and are young and I have a hard time telling them how the man is going to try and get over on them. There are the brothers who know that they are going to the field and once there, the other brothers that have been there some time teach the new brother a few things that all the Black brothers stick together from the "Git". And if they think that you are or have any notion of Tomming, the better brother will set you up so you will come back to the world sooner than you were scheduled to, and a whole lot stiffer!

A BLACK G.I.
Vietnam

WE SERVE THE PEOPLE

In a never ending struggle to serve the people, the Washington D.C. Chapter has started another free Breakfast Program. Though the Washington D.C. pigs tried to break our spirits and halt our progress on July 4th by stealing $900 from our Breakfast and Medical Fund, we're still getting up.

Thanks to the great community support we have and we can overcome all and any madness the pigs try and mete out against the people whom we are fighting for. Beaming with enthusiasm our youth who will carry on the struggle will have the very best that humanity possesses.

The new Breakfast Program is located at 2804 14th Street., N.W. We hope this new socialistic program relieves some of the hunger and agony which is so rampant in Washington in particular and all of America in general.

We also promise that this hunger will be no more.

ALL POWER TO THE YOUTH

Washington D.C. Chapter
Black Panther Party
Ministry of Information
Maurice

NEWS ON LOS SIETE DE LA RAZA TRIAL








After 20 weeks of testimony, the prosecution case against Los Siete de la Raza has finally ended. In case you've forgotten since the last press release, Los Siete are seven righteous Latin brothers from the Mission District of San Francisco, and they're on trial for killing undercover cop Joe Brodnik on May 1, 1969.

For over a year, the supporters of Los Siete have insisted that the brothers were being framed, and the prosecution case proves it. The case is weak and full of contradictions. There is almost no evidence against three of the brothers. The prosecutor is counting on racism, law and order mentality, and puritanical self righteousness on the part of the jury in order to prejudice them against the brothers. He has used every low trick suggesting guilt by association; pretending to be offended when the defense lawyers use street language; using inflammatory pictures to beef up his pathetic case.

The D.A. wants to convict all six brothers for 1st degree murder of Brodnik, assault with intent to murder his partner Paul McGoran, and burglary of a house in a middle-class section of the city. Yet not one of his witnesses has identified who fired the shot that killed Brodnik. The witnesses even disagreed as to whether it was a short or a tall person who fired McGoran's .41 magnum, the murder weapon. One thing the prosecution case does prove is that McGoran started the fight with one of the defendants which led to the so-called assault, and then to the murder. Another is that at least two of the defendants were not on the street at the time of the fight (another two were not even at the scene).

The D.A. wants to convict all six under the felony murder rule which says if several people are committing a felony (such as burglary) when one of them commits a murder, all are guilty of the murder. In this case, the D.A. hasn't even proved burglary. Three or four of the brothers were helping a friend (the 7th member of Los Siete, who is still free) transport some stolen property, an offense which might be receiving stolen property, but is not burglary and thus doesn't qualify for the felony murder rule. The prosecution has manufactured a few scraps of evidence against the two brothers who weren't there mostly from the kind of law and order people who will identify someone just because he's brown and the police say he was there. After the defense proves that these two brothers have alibis, the prosecution's case will only look worse.

One thing the case against Los Siete proves is that the police are not so efficient as they seem. They didn't expect to have to fight a court battle against four of the best revolutionary lawyers, Charles Garry, Michael Kennedy, Richard Hodge and R. Jay Engel. They were hoping either to kill the brothers in flight or to scare them into copping out. When it came down to evidence, they could only produce one aging pig, stoned on Valium (McGoran); eight eyewitnesses who contradicted each other at every turn; and a gaggle of incompetent police inspectors (one of them reported a fingerprint identification incorrectly, and didn't correct it until 10 months later). If the jury can see through all the racism, innuendo and confusion, they should see straight through to an acquittal for Los Siete.

The defense has also ended. During the 2 weeks of testimony, Defense Attorney Charles R. Garry has called witnesses to prove that McGoran is a racist, brutal and hot headed. He believes in using intimidation and strong arm tactics to get what he wants. It has been stated that he receives stolen property, and plants drugs on innocent people; he has all the characteristics of a cop.

The Defense case also established that the brothers were on their way to the College of San Mateo when they were attacked by McGoran, who knocked one of the brothers to the ground and pulled his gun on him. Another of Los Siete grabbed McGoran's arm and the gun went off, killing Brodnik. The brothers fled, knowing the police would not believe their story.

VIVA LOS SIETE....FREE ALL POLITICAL PRISONERS!
Los Siete de la Raza
P.O. Box 12217
San Francisco, Calif. 94112

PRESS RELEASE: AMERICAN CIVIL LIBERTIES UNION

New York City, October 5, 1970 ... The appointment of a full time attorney to supply legal services involving civil liberties issues arising out of the New Haven Black Panther trials was announced today by the American Civil Liberties Union and its affiliate, the Connecticut Civil Liberties Union.

Michael Avery, an honor graduate of Yale, has been hired for six months through a special American Civil Liberties Union Foundation appropriation. He will be working with the attorneys representing Black Panther defendants and will be available to represent persons whose civil liberties are violated in the course of events related to the trials.

Avery, who will be headquartered in New Haven, is the first full-time civil liberties attorney in the State of Connecticut.

The A.C.L.U. felt it was necessary to employ a special attorney in New Haven because of the particular importance of the Panther prosecutions there. In a survey of its affiliates late last year, the Union found that: "The record of police actions across the country against Black Panther Party forms a prima facie case for the conclusion that the law enforcement officials are waging a drive against the black militant organization resulting in serious civil liberties violations.'

Because its survey indicated a pattern of harassment, the Union feels that the New Haven prosecutions are a test of the ability of the judicial system to provide a fair trial to those whose political beliefs have generated substantial prejudice against them. The Union hopes that its presence at the trials will encourage the observance and protection of Constitutional rights for all involved.

The trials also have special importance in New Haven. By providing a local attorney to assist the defense counsel, the ACLU recognizes its special responsibility to provide assistance to a group of persons where there is reason to doubt that they would receive a fair trial solely because of their unpopular political beliefs.

Avery, who is from Minneapolis, received his B.A. magna cum laude from Yale in 1966 and received his law degree from there in 1970. Prior to joining the A.C.L.U. legal staff, Avery worked with the New Haven Legal Assistance Association and has been active in ghetto work in New Haven for several years.

DENVER, COLORADO

NO JUSTICE IN FEDERAL COURT OF INJUSTICE FOR PRISONERS OF WAR

In the fascist courts of Babylon, Black people are continuously being railroaded to long, life-long jail terms or death in the electric chair in some states, to the gas chambers in others, which in reality means only one thing. Death--genocide. The present stages Black people are now going through is but a minute part of the role that Black and other oppressed people will play in the making of "America's Police State."

As we all know for the past 3 years, the Black Panther Party has been considered domestically and internationally as the Vanguard of Black people's struggle here in America: showing that this country is an imperialist war-mongering country committing mass murder, torture and genocide upon people of color throughout the world; showing in essence that the courts of this society are corrupt, that this is a degenerate society, a sick and hopeless society as it now stands, run by a few rich, power-hungry, people known as the ruling circle: the Melons, Duponts and Rockefellers, just to name a "needle in a haystack". Thousands and thousands of Black people are presently awaiting trial on everything from murder to conspiracy of thought, of which there are many avenues.



RORY HITHE — LANDON WILLIAMS

In the case of the Connecticut 9, two of these revolutionaries are undergoing such railroading in these unjust courts in Denver, Colorado. They are charged with such trumped-up charges as murder and conspiracy, kidnapping and conspiracy. For over 15 months Rory Hithe and Landon Williams have been incarcerated in "Hitler's little domain". Denver County Jail is located right down the road from the Rocky Mountain Arsenal, an institution of death, an experimentor and producer of biological warfare chemicals and weapons used to kill people of color.

While in the county jail, isolated from the rest of the case, Landon and Rory have been waging arduous struggle against extradition to Connecticut to unjustly stand trial for crimes which were committed by mad-man Sams, George Sams--a pig agent and provocateur for the blood-thirsty CIA.

On Friday, September 4, 1970, another attempt to regain their freedom from incarceration from these trumped-up charges, was heard in the Federal Court, City and County of Denver, State of Colorado, which resulted in yet another blatant expression of racism and apathy. Walter Gerash, attorney for Rory and Landon, again presented motions of the State of Colorado to drop their felonious flight charges because the brothers have been denied their constitutional rights under the 1st, 8th, 5th, 14th and 15th amendments; that they have been denied the right of men awaiting trial, not yet "convicted" -- no bail, isolation from other inmates, no reading materials, starving them for over 40 days with only bread and water to suffice, etc., etc. Gerash argued for over 2 1/2 hours. What did Judge Arraj do? What do fascist judges from the lower traffic courts to the Superior and Federal courts customarily do to Black and oppressed people? He smirked and oinked that he didn't see where there had been any violation of their constitutional rights. So therefore they didn't have any business being in the Federal Court, that the function of the Federal Court was to hear cases of Constitutional violations, whereas this was definately not a case of violation of the constitution. Arraj also oinked that Mr. Gerash would receive the court's decision within a few days (not the customary month or so).

Mr. Gerash received the court's decision approximately 2 weeks later. Therewith published was an 18 page denial of the motion Eighteen pages just to deny a stay of extradition. Just to say that the brothers should be extradited which, in essence is what was said in court on the 4th of September. This fascist Zionist dog made his position crystal clear by not allowing the automatic stay of extradition in which to submit an appeal to the Federal Court of Appeals. This slimy pig refused to acknowledge the fact that his cohorts of crime, Judges Kingsley and Bowman, had previously done as he was now doing.

As of this time an appeal of the decision has been made to the Federal Court of Appeals. What do we expect from these fascists? A lack of concern, the same answer from another court of another name but of the same system. We expect another denial and then another in Edgar Hog's and Mealy-mouthed Nixon's plan of extermination of Black people and the Black Panther Party. This leaves no other alternatives to Rory, Landon, Ericka and Chairman Bobby but to relate to the principle of opposing everything that our enemy supports and supporting everything that our enemy (namely the State itself) opposes.

These dedicated revolutionaries, creations of oppression, refuse to collaborate with the pigs because they have the support of the people and know that they are falsely accused.

The Black Panther Party is calling for all people to attend the Constitutional Convention in November to rewrite this present piece of paper into a constitution that is really of, by and for the people, to guarantee ourselves freedom of speech; a jury of our peers, housing, clothing, education and JUSTICE.

It has to be made clear that we will not be given our freedom, and our rights. We will have to take them by any means necessary. We have to back this writing, this piece of paper with the support of the people and the people have to use arms and truely enforce the law of the land designed to serve our best interest. We must establish revolutionary political power for Black people through the power of the gun.

DEATH TO THE FASCISTS
ALL POWER TO THE PEOPLE
Ora Williams
Black Panther Party

REPRINTED FROM S.F. WILDCAT

George Jackson Speaks from Prison

George Jackson recently celebrated his 29th birthday–as he has every birthday for the past ten years–inside a California prison. Presently awaiting trial, along with John Cluchette and Fleeta Drumgo, on the dubious charge of murdering a Soledad guard last January, George consented to a Wildcat interview held inside San Quentin late last month. In the hour-long interview, George discussed a range of topics, from legal matters to prison organizing. The following text includes excerpts from the interview.

• • • • • •

WILDCAT: What is the present legal situation in the Soledad Brothers' case?

JACKSON: Are you asking me how being tried in San Diego strikes me? Well, we're going to fight it of course, and I've heard that the fight could extend over a period of two or three months. But they want to move it to San Diego; they've got the guns, they've got the disposition, and they'll do it if they want to. Drewes (S.F. superior court judge) reversed himself completely on that particular issue. Two months ago he ruled that he couldn't move the trial out of San Francisco. Two months ago he stated that it was up to the defense to ask for a change of venue. And that makes me feel that any cooperation–even sitting there in court and watching things go on–it makes me feel that I'm betraying myself and the people I believe in and the people who believe in me.

I'm thinking now of non-cooperation all the way–I don't recognize their authority over me. It wouldn't educate the people if I sit down and go through the process. I'm thinking about making them drag me into court every morning... The idea of allowing Barnes (Monterey County D.A.) to interrogate me on the stand–that's repulsive.

AWARENESS

WILDCAT: You are about to publish some of your political writings (Bantam: paperback, Oct. 2). When did you first become politically aware?

JACKSON: When I first arrived in the joint, early in 1960, I was in Soledad when the Cuban Revolution happened. Castro had just taken over and declared himself. I was upset, angry, confused. What I noticed was that the Cuban situation upset the authoritarian types–the little Nazi cliques–and the bulls. I read the things in the media about proletarian socialism, but I had no real sense of the thing. I started reading in that area because of the attitudes of these guards and the authoritarian types in the joint toward the Cuban Revolution. I thought that if they felt it was harmful and detrimental to them, then it just might possibly be good for me.

WILDCAT: What were you doing before your arrest and sentencing (one year to life for second degree robbery) in 1960?

JACKSON: To be truthful, if I hadn't been busted, I'd probably be a small time gambler or a dope fiend. I learned something about butchering, meat cutting and knives when I was doing time as a Y.A. (prior to his robbery arrest at the age of 18 George did time in a Youth Authority institution) at Tracy. When I got out I did try to work, but just before I got arrested I had been laid off on two jobs. I just didn't like that type of work–it just didn't fit my disposition. I had been trained in boning and meat cutting, but on the first job they put me to work unloading those huge carcasses from an overhead pick onto an assembly line table. Well I quit that job and went to another job with Union Packing. There I worked on a semi-skilled job–all day long I would stand there dicing meat. I quit.

WILDCAT: You received your high school diploma here in San Quentin in 1967. What do you think of the rehabilitation concept as practiced here in California state prisons?

JACKSON: Rehabilitation? The whole concept is just a word and has a lot to do with public relations. Actually, it really means breaking a man, making a man accustomed to restraint. The real purpose behind making a man accustomed to restraint is preparing him for the life he is expected to lead when he hits the streets. Now you can call that rehabilitation, but I think their concept involves restraining a man rather than reorienting him. The educational facilities here and in all the other joints usually will accomodate no more than 1/8 of the prison population. In any case, the purely academic stuff is right on a par with the mission schools in Southern Rhodesia and Angola. The stuff they teach is outright nationalistic propaganda. I got kicked out of two or three of the classes. Eventually I ended up buying my high school diploma.







WILDCAT: It is now seven weeks since your brother Jonathan led the Marin County Courthouse kidnap attempt. Looking back, how do you analyze the significance of his action?

JACKSON: Jonathan's whole operation was aimed at the destruction of prestige. I don't interpret it as in any way individualistic. There was really but one way for the pigs to stop the operation, and that was to kill the judge. Of course Jonathan went in there with the impression that the police would have some respect for the judge's life–he was a chairman of the Republican Central Committee. I think, knowing Jonathan and James (McClain, one of the prisoners involved), that they both at one point thought of one guard as starting to shoot and then all the other guards would chime in with their conditioned reflexes. But that was the element of chance–beyond that there was no chance. With the hostage game it depends on keeping the hostage alive. As long as you can keep the hostage alive it can be assumed that the pigs are going to have some regard for life and you should be able to walk him right down to Chile along the Intercontinental highway.

WILDCAT: What was the effect of the action inside prison walls?

JACKSON: It was electric. Everybody related to it.

PRISON REVOLT

WILDCAT: Subsequent to the Marin action and a demonstration outside the prison walls protesting trials held in the prison, there was a prison rebellion in the latter part of August. Could you go into some detail about it?

JACKSON: The rebellion was an effort on the part of the convicts to gain more control over their lives. There were between 2,200 and 2,500 Black, white, and Mexican-American prisoners involved. Two hours after the thing ended they transported Warren Wells (Black Panther Party member convicted last year of attempted murder in connection with the 1967 shootout in which Oakland police murdered 17 year old Bobby Hutton) and one white and one Mexican-American out of the prison. These were the fastest transfers I've ever seen: I've never seen anything happen like that. During the thing Warren made some speeches along with a couple of other guys. The pigs sallied out with tear gas and the convicts threw it back at them. Some shots were fired–that's not unusual. They fire at us all the time. I've had shots hit the wall behind me only a couple of inches from my face, but I've been really lucky.

WILDCAT: It appears that, for the first time, Black, Brown, and white prisoners are getting together to fight the prison authorities. How do you explain that?

JACKSON: Before the whites were threatened and we were threatened and we were just at each other's throats. It was a question of circumstances beyond our control. I think we all understood what was happening all along–that it was really a case of the prison administration using convicts to strengthen and maintain their own position. Racism is the control mechanism. To start off with it's almost impossible for a small knot of guards to hold down five or six thousand inmates without some kind of divisive tactics. It's part of their standard operating procedure. They use the race issue like they use homosexuals to divide the prison population.

But what could I do? It was all I could do to stay alive. For example, the prison authorities would make the "mistake" every now and then of opening the doors of white convicts at the same time that we were on their tier. They would attack us. That's the stupid, silly, infantile way the authorities would use to get us. Prior to January 13 in Soledad, there were two specific instances of Blacks being beaten to death by whites and Mexicans that I know of. In another instance, a prisoner was beaten to death by the police in a back room and the doctor certified that he died of a heart attack. That was in San Quentin.

UNITY

WILDCAT: How do you account for the increasing interracial unity among prisoners?

JACKSON: The reason for the recent success is due to outside support and the attention that revolutionary circles are giving men in prison. It's had a profound effect on the efforts to unite the prison population. The Blacks have recently veered away from the Muslim ideology. In the early '60's, when I first came to the joint, the Blacks were to some extent responsible for the racism, because we levelled both barrels at the white convicts. Of course, we didn't initiate it. We merely responded. Responded in a way that precluded any unity. But recently, since Huey Newton and Bobby Seale and the Black leftists have come in here from the community and the streets, it has been reflected right here in the joint. It's gone from just "brother" to "comrade" and from Black to just people. The white convicts have stopped feeling threatened and they're able to respond to the new approach. Add that to the fact that all convicts are intelligent enough to see the advantages of working together.

WILDCAT: Any final comments?

JACKSON: To get back to Jonathan Jackson and the August 7th action, everybody in prison identified with it. I think that this incident did more to solidify the unity effort than anything that's ever happened in the past nine or ten years. I'm not concerned with the opinion or the opposition of people who are tied into the establishment. I'm concerned with the people who say they identify with the revolution. And we do have people of the liberal-left who condemn these types of military activity. I'd like to emphasize here that if it's violence they condemn, there's productive violence and there's counter-productive violence. Jonathan felt, and James (McClain) felt, and I feel, that carefully planned, staged, and ordered political attacks are at least the minimum we have to support if we are going to support the revolution.

SOLEDAD

BROTHERS

DEFENSE

COMMITTEE

P.O. Box 31306

San Francisco,

94131

PRESS RELEASE FROM THE MINISTER OF DEFENSE ON THE CAPTURE OF ANGELA DAVIS



Huey P. Newton
Minister of Defense
BLACK PANTHER PARTY

The Black Panther Party accuses the reactionary authorities of California and the United States of using Angela Davis as a scapegoat. The traditional judiciary are responsible for the event that took place in the Marin courtroom and the police are responsible for the murder of the Judge, Jonathan Jackson, William Christmas and James McClain as well as the wounding of the hostages. In order to draw attention from the responsible persons Angela Davis was hunted, captured and accused of crimes of which the American reactionary system is in fact guilty of.

The event would have not taken place if there were justice in the courts for Black people. The court has been generally non-responsive to the cries for redress of Black people's grievances and have continued to act in the interest of the racist, capitalist ruling circle. This is clear when we note that the prosecuting attorney in the Marin case is married to the niece of the judge who presided over the case. On the other hand, Jonathan Jackson and the prisoners of war, William Christmas, James McClain and Ruchell MaGee were motivated by their desire for justice and freedom. We feel that when all peaceful means are exhausted it is the people's right it is the people's duty to take other steps that will guarantee justice and freedom.

The San Quentin guards and the Marin County police must be charged with the murders of Comrades Jackson, McClain and Christmas and the murder of the judge. We note that absolutely no one in the establishment has made issue of the fact that 11 of the shots fired in the Marin incident came from the vicious weapons of the police and the district attorney. It is clear that the gestapo police were not interested in the preservation of human life. Their first concern was apprehension and murder, and if anyone happened to survive, this would be an accident, not their chief concern. It shows that the gestapo are not even concerned about the lives of their class brothers, the judge and the district attorney.

So it seems that absolute madness has swept the shores of America. Reason is not to be found among the ranks of the oppressor. The very fact that the reactionary authority has the audacity to accuse Angela Davis of a crime is indicative of the lack of justice and the lack of simple reasoning. Those who are clearly guilty are exonerated (to clear, as of blame or guilt). Those who are victim and innocent stand accused.

The Black Panther Party calls upon Black people in particular and all oppressed people in general to rise up and do whatever is necessary to free Angela Davis. Angela Davis has exemplified the highest expression of concern for the people. We the people should show our appreciation of this by coming to her aid in this hour of need. Angela has given her energy and devotion to the people's cause without reference to her personal safety, without reference to her personal gain. She has given in a free and a very pure way, in a way that sets an example for people everywhere. At this time we must not fail Angela Davis.



Angela Davis, captured October 13, 1970, - next scapegoat of U.S.A. fascism

SHREVEPORT, LA.

LETTER FROM CADDO PARISH JAIL

I am writing you this letter to let you hear from me once again and my fellow brothers here in the Caddo Parish Jail, Shreveport, Louisiana, 71102. Myself and the other brothers are looking forward to hearing from some of the hard driving soulful brothers out there and across the country. We are in need of news, for the pigs don't let the Black inmates receive any kind of books or papers, and there is a great demand for enlightening reading for constructive debates among the many lost brothers here in the very deep graveyard of lost souls. For the pigs love to see Black people fight and kill each other, other than trying to kill the beast, as it should be.

It has been two years now that the Black inmates here have been locked down in close confinement and without the right to eat in the eating room and exercise as the White inmates enjoy. The pigs do not provide the Blacks with basic rights, not to mention the other so-called rights that Blacks are supposed to have in hell holes of North America. There is no clean bedding or some don't even get mattresses, no clothing, no showers, food is pushed under cell doors like you feed dogs, the conditions are unsanitary, and there is no medical treatment. The doctor, or I should say horse doctor for I feel he should be in a barnyard with chickens and goats, comes up every five months, takes those with illnesses names down on a book, for a front, and tells you to take two aspirins and walk slow When someone gets sick we have to beat on the wall all nite and call out the window to people on the street. As for the good citizens of Shreveport, they are fooled by the pigs, that it's nothing wrong up there, and the brothers that get out are so glad to get out they only want to get out and don't have much thought of the plight of their fellow brothers left behind. As for myself and a few other brothers that are doing time, we have tried to get the pigs to open the bull pens for the Blacks who are in the hole that are locked down in the cell blocks like animals. They only shine that on. But there are other ways to get the beast to listen, as for myself and cellmate we were taken out of the cell blocks and were placed in a small two man cell away from the others and now there are four more brothers. We are kept locked down and fed out of paper plates and put on a minimum diet. We managed to get words back to the brothers and out, for this letter was slipped out by a brother that was getting out. There are only a few out of so many but that few are only four which is small but united, and we will try to gain more.

I will close my letter to you, and hope to hear from you. Thank you for your time and reading this letter. From all the soulful brothers here we say to the hard driving brothers everywhere right on brothers, for one day we can do our part and if we must we will die for what we believe in and that is freedom and justice from these pigs here in the hells of North America and also elsewhere. Blood is the only way, I feel this will be obtained by any means, as for the four of us here and we will have more. We are united and ready for any action that we can conceive of to get what we want now. If it is possible we would like to have any reading or clippings of the hard driving brothers out there and everywhere, news on the Brothers; Bobby Seale, Eldridge Cleaver, and Huey Newton. And we have not forgotten the soulful sisters. I will close this letter to you but will keep in touch through my Queen.

FROM TWO BROTHERS IN:
Caddo Parish Jail
Shreveport, Louisiana 71002

P.S. We are withholding the names of these revolutionary brothers.

STOP THE RAILROAD OF INJUSTICE



Fred Burton   Robert Joyner

Robert "Points" Joyner, Fred "Balagoon" and the members of the Black Unity Council are now being held as political prisoners of war by the Philadelphia fascist Rizzo regime.

The Philadelphia pig department and the fascist courts are planning to railroad the members of the Black Unity Council on one of the many fascist express trains with the destination---the electric chair. The pigs are waging a conspiracy against the members of the Black Unity Council and the other revolutionary groups being victimized by the October conspiracy.

At the recent hearing of Robert Joyner and Fred Burton, the pigs went all out in their attempt to frame Joyner on an alleged statement supposedly given by Hugh Williams, who was viciously brutalized by the pigs. The pigs also produced a statement but couldn't produce any substantial evidence to back it up. This statement was one of the many fallacies schemed up by the pigs.

The people must set the members of the Black Unity Council Free!

"If the courts refuse to give justice to the people, then the people must give justice to the cuurts."

For further information contact:

Plack Panther Party
2935 W. Columbia Ave.
CE 5-7525 or 26

Black Community Info. Center
523 S. 17th st.
PE 5- 7569

Black Community Info. Center
3625 Wallace Street
BA 2-0885

Black Community Info. Center
428 W. Queen Lane

STOP NIXON'S SO-CALLED FAMILY ASSISTANCE PLAN

October 6, 1970
National Welfare Rights Organization
1419 H. Street, N.W.
Washington, D.C. 20005

Nixon's Family Assistance Plan will be considered by the Senate soon. The time to act is NOW.

Despite the new administration bill just being offered, FAP, bill number HR 16311, is a bad bill. It will hurt most people on welfare. Some families will receive fewer benefits. All will be denied rights they presently have. Grants will go up for only one out of ten welfare families, those living in six Southern States. The legal rights of poor people will be fewer under FAP as it now stands than under the present welfare system.

Find out how FAP affects you. Go after your Senators now! Demand that they stop this bad bill.

President Nixon and his chief assistant on FAP, Daniel Patrick Moynihan, have been saying FAP is welfare reform. They havebeen telling the Senators that this bill will help poor people This is another Nixon trick! And most people have been falling for it.

NWRO knows FAP is a fraud. It is up to us, the organized welfare recipients across the country to tell our Senators the truth about FAP.

We must expose Nixon's welfare lie. Demand that your Senators VOTE AGAINST FAP.

HOW THE NIXON PLAN HURTS WELFARE RECIPIENTS

Recipients will lose money or be cut off under FAP.

FAP provides $500 per year for the first two family members and $300 for each additional member, $1,000 for a family of four, $1,900 for a family of five and so on. This is higher than the present system in only six states.

NWRO says a family of four needs $5,500 a year and a bill calling for this amount was introduced in the Senate, bill number S.3780.

States are supposed to maintain present payment levels where grants are above the FAP amount but there are lots of loopholes fur cutting grants.

1) The definition of present payment level may exclude benefits recipients now receive for special diets, carfare to visit clinics, high utility bills and emergency needs. Continuation of this assistance would be left up to the states.

2) Working mothers receiving AFDC would be cut back or cut off in 22 states. 370,000 welfare families with a working mother would be hurt.

3) There is no cost-of-living provision in the bill. States would be discouraged from providing future cost-of-living increases and Sec. 402 (a) (23) of the present law which provides a one time increase would be repealed.

4) People who receive Social Security, veterans benefits or unemployment insurance or support payments would continue to lose these benefits dollar-for-dollar if they went on Family Assistance. These kinds of income should be treated like earned income.

Rights of Recipients would be cut back.

1) The right to welfare, the right to apply for benefits, is spelled out in the present law but is not mentioned in FAP. The present law says "all individuals wishing to apply shall have the opportunity to do so and aid shall be furnished with reasonable promptness."

2) The right of a mother with children to remarry without forcing her new husband to support her children is denied. Under FAP, a step-father would have to support his wife's children. He does not have to supportthemunder general state laws. This would be discrimination against poor people and means that they would be discouraged from marrying.

3) The right to a fair hearing would be undermined. If a recipient loses a fair hearing under FAP she would have to pay back any money received since the original decision to cut off or reduce benefits was made. This will discourage recipients from requesting a fair hearing. They would accept whatever decision the caseworker makes.

4) Recipients would be forced to register for work and accept whatever job was offered, no matter how bad a job it is or how little it pays.

5) Families will get less money under FAP than the aged, blind or disabled. And poor single people or childless couples who are not aged, blind, or disabled will not get any money from FAP. The federal floor is only $133 per month for a family of four but a single person who is aged, blind or disabled gets $130 a month. There is very little assistance for families in Family Assistance.

Prepared after new administration bill was announced, October 6, 1970.

THE MASSES SAVED THE LIVES OF NEW ORLEANS NCCF MEMBERS

My name is Isaac Edward. I am a political prisoner of U.S. fascism held in New Orleans, Orleans Parish Prison. I am a member of the N.C.C.F. There are also twelve other members of the N.C.C.F. presently being held as political prisoners, and two people from the community.

On September 15, 1970, at 8:45 a.m., the fascist pigs of the state of Louisiana came to carry out their open plan of genocide on the members of the New Orleans, N.C.C.F.

The night before two bootlicking undercover pigs who conspired with Pig Giarusso, Piggish Mayor Moon Landrieu and simple pig Governor McKeithen to collect all possible information about the activities of the N.C.C.F. and if possible make plans to stop the functioning, were exposed. It should be made clear that the people from the community exposed the pigs Israel Fields and Melvin Howard as bootlicking tom pigs. We had no choice but to put them out of the office. They were met outside the office by the people. It was the people that exposed them and the people dealt with them. One pig, Israel Fields, made his way to a nearby store called Forman's. The other pig, Melvin Howard, made his way out of the community. As for Fields and Howard, the people felt it their duty that they be dealt with in a revolutionary manner.

There was a brother that was walking in front of Forman's Grocery, who was gunned down in the street for no apparent reason.

The people from the community got some guns in defense of their lives. The gunfire continued not only from Forman's but from a store next door to Forman's called Nellie's. Forman's and Nellie's are stores owned by a nigger pig named Broussard, who is exploiting the people of the Desire Project area. It was later found out that there were two other bootlicking pigs in Broussard's. Within the period of about fourteen hours the pigs in Broussard's had wounded eight brothers. During those fourteen hours no other pigs were allowed in our liberated territory.

They (pigs) came without warning and without provocation. These murderous fascists opened fire on members of the N.C.C.F. We positioned ourselves to defend our lives and home by any means necessary. They had their guns and we had ours, they shot at us and we shot back. The fascist dogs shot at us with automatic weapons, M-16 rifles, shotguns and an armored tank. For two and a half hours the members of the N.C.C.F. threw a nigger wrench into the pigs' open plan of genocide. We took the tear gas as long we could. There were fourteen tear gas canisters fired in the office. We put a white flag out. We had a pig band radio. The pigs said we were coming out and the reply was to shoot us down. At this time the people saw that we were coming out, the people came out and stopped the open plan of genocide. After we were handcuffed and told to lie down on our faces, in the grass which was about two to three feet high, two brothers were picked to go back into the house. One of the pigs asked one of the brothers why did we give up. The brother did not say anything. Then the pig said to come over here I have something to show you. The other side of the house was empty, the people next door had moved out the week before. The pigs had made their way over the roof of the house next door from us on the empty side of the house. They told the brother that if we had stayed a little longer we wouldn't have had to surrender. We were kidnapped from our homes and placed under a $100,000 ransom. We are being held at the "Orleans Parish Prison", under most inhuman conditions. The pigs have us in a 12x6, one man cell. Two to a cell. There's one bed afixed to the wall, a mattress on the floor. One cell had three men in it.

The section of the prison that we are being held in, is called the Death Row! Our meals are served on paper plates that are shoved under the bars. We are let out once a day to take a shower.

No matter how the pigs try to break our resistance, we will continue to fight the racist pig power structure. They think that they can break our spirits, but our spirit is high! We are high off the people, to whom we give all gratitude for saving our lives.

ALL POWER TO THE PEOPLE
FREE ALL POLITICAL PRISONERS!

NATIONAL GUARD ARMORY BOMBED, HEROES SUCCESSFULLY ESCAPE



Newburyport, Mass. is a small residental New England town basically composed of people from the White working class. Until last Saturday, September 19, Newburyport's only claim to fame was that it is one of the many small towns surrounding Boston which are strongholds for groups like the Minutemen and other right-wing fascist reactionaries. Last Saturday, however, at 6:00 a.m. in the morning a National Guard Armory was bombed, hundreds of rounds of ammunition ripped off, military personnel records taken and to top it off, they left the scene in a one ton army pick-up truck. They (the bombers) attempted to open the vault holding the weapons of the pig army, M-1 rifles, .45 caliber pistols and .30 caliber sniper carbines, but were not able to do so. The act was accomplished in one fast motion, and the heroes escaped capture and one week later, "law enforcement officials" are still scratching their heads in wonderment.

And although the weapons, themselves, tools of our liberation were not liberated from the oppressor, the success of this action cannot be denied.

As has been the case in liberation movements all over the world, the guns and arms made by and for the oppressor eventually ends up in the hands of the oppressed. More important, the unknown people who accomplished this act, obtained hundreds of rounds of desperately needed ammunition. Again, past experiences has shown that while the guns themselves can be obtained in ample supply, the ammunition, the bullets, that actually inflicts death upon our enemy, becomes very scarce. One of the necessities of our struggle is our ability to liberate, stockpile, and then accurately use the ammunition of our oppressor upon our oppressor.

As for the military personnel records, they can obviously be put to good use. Our oppressors must be harassed and intimidated day and night. They must not sleep, nor rest, these are the devils who plot the genocide of Black people. The National Guard Armory in the small town of Newburyport, like other small time towns surrounding the Black colony in Boston is designed to be used against us in the fascist genocidal plot devised by the treacherous minds of the Nixon-Agnew-Mitchell clique. It is to be carried out by those men whose names and addresses are now in the hands of the people. Unknown members of the fascist majority now appear before the people's tribunal and will be judged according to their actions.

This action is just one of many blows which will be dealt out to the oppressor. If this action was intended to help and serve the people, we welcome their help to our just liberation struggle against the Babylonian Empire.

ARM YOURSELF

Michael Fultz
Boston Chapter
Black Panther Party

VALLEJO PIG POLICE MURDER BLACK MAN

George Nathaniel Ware, born-May 13, 1942-Alabama-was murdered in cold blood by Vallejo California Pig Police on September 13, 1970 at 28 years of age.

George Nathaniel Ware was released from Napa State Mental Hospital on August 17, 1970 and moved into a board and care home for the mentally ill at 2024 Florida St. in Vallejo. As a result of forced induction in the U.S. Army, George spent the remainder of his life in and out of mental institutions from 1964 to 1970.

On the afternoon of September 13, 1970, George Ware was playing pool at Fuller Recreation at 1927 Solano Avenue. He got into a struggle with two brothers whom he hit with the heavy end of a pool cue. The police were called but they were so busy occupying other areas of the city that Sergeant Ronald M. Rechner, a 39 year old White racist, had to respond alone. This scared pig arrived at the Black owned pool hall and observed George sitting outside with his head down, holding the pool cue vertically. When asked by the pig to drop the stick, George said no. Pig Rechner advanced to take the stick and George tried to defend himself from this pig aggression by swinging the stick from left to right. Scared and trigger-mad Rechner drew his .38 caliber service revolver and shot George through his thigh but this was not enough. Seeing the rage and shock in George's face as he stumbled forward with the cue stick hitting Rechner on the shoulder - Rechner emptied his gun, two missing, two hitting George in the abdomen and one in the groin; he was dead before arrival at Vallejo General Hospital.

Realizing that this murder was cold blooded and unjustifiable, the pig police quickly interrogated the brothers at the scene to get a confirmation of Pig Rechner's account saying that Rechner had no alternative but to fire (4) .38 caliber bullets at close range into a Black mental patient with a stick or else be killed or badly injured himself.

This is another example of the total disregard that the pigs have for our people. Vallejo pig police are well known for their corruption, harassment and brutality against Blacks. The police have the full support of the racist city officials in this military town adjacent to Mare Island NavalBase

George's mother, Mrs. Mary Ware, a resident of San Francisco, learned of her son's murder by listening to the radio news the following day even though Vallejo pigs came to San Francisco directly following the killing. But they came only to look into George's criminal record, which included theft, resisting arrest and intoxication, to play-up in the racist Vallejo Times Herald newspaper to make Pig Rechner seem worthy of his criminal act in the eyes of the people. But the people are hip to that old trick.

When Mrs. Ware went to Vallejo to find out about how her son was killed, she was confronted with another racist, Detective Sgt. Jack D. Mulanax, who is supposed to be handling the case. He told her that George had 1.07 alcohol in his blood (about a half a glass of wine) but "everything else was confidential" and this was the extent of his report.

The police and the city of Vallejo sent Mrs. Ware the ambulance bill that carried her dead son and a bill for the rent at the board and care home which offers no care and supervision for its mental patients. The Vallejo pig police have held no inquest or hearing. The people from the Black community who tried to bring this issue to the racist city council have been repressed in their efforts and told that "it is a court case--not to be discussed here," yet no charges have been brought against the murderer, Sgt. Rechner. Mrs. Ware can't get the autoposy report from the city of Vallejo. The city is hoping this will all blow over and nothing more will be said.

We can no longer stand by and allow the pig police to murder our people. As long as we are unarmed, we are subject to murder and brutality at the hands of the pig.

Many individuals and organizations in San Francisco are concerned with the struggle Mrs. Ware will have to wage against the city of Vallejo. We will be having a community meeting on Saturday, October 17, 1970, at 3 p.m., 1513 Fillmore, WA. P.A.C. We will also deal with Mr. and Mrs. Wilson whose five year old daughter was stomped and beaten by a White mental patient and Kaiser Hospital who refused to treat her (as reported in the Black Panther, Black Community News Service, on Sept. 12, 1970).

Saturday, Oct. 17, 1970
1513 Fillmore St
San Francisco
3:00 p.m.
922-4028

SEIZE THE TIME

Carol Henry

NATION'S LARGEST STUDENT ANTI-WAR GROUP ASSAILS J.EDGAR HOOVER'S OPEN LETTER TO COLLEGE STUDENTS

The Student Mobilization Committee to End the War in Vietnam condemns J. Edgar Hoover's "Open letter to College Students" as a blatant attempt to stifle free speech and opposition to the war in Southeast Asia. Although couched in supposed recognition of the right to "legitimate" dissent, Hoover's letter is clearly aimed at the millions of Americans who have united in massive, peaceful protests in the streets against Nixon's criminal "commitment" in Indochina.

In response to Hoover's attack on our consitutional rights, we declare our intention to redouble our efforts to mobilize millions in the streets to force the Administration to end the war in Indochina now.

Hoover claims to be directing his remarks only against "extremists." But the American people know from bitter experience that such McCarthyite red baiting attacks are really nothing but a smokescreen for attacks on the democratic rights of all citizens of unions, of Blacks, Chicanos and other oppressed minorities, of women, and of all groups who need to utilize their constitutional rights to fight for their rightfu place in American society. And the American people are also painfully aware that the "extremists" in this society are not those who fight to have our men brought home from Southeast Asia now, but those like Mr. Hoover who force hundreds of thousands of men, agains their will, to kill and die in a war which is in the interest of neither the Vietnamese people nor the American people; those who sanction the Mylais and the tiger cages; those who would turn millions of Vietnamese into refugees in order to "save them from communism." The simple truth is that the American people know all to well without J. Edgar Hoover's advice who the "extremists" in America are, and that is exactly why they, and we, have taken to the streets in the first place and will be in the streets in ever-increasing numbers until every last G.I. IS WITHDRAWN FROM Indochina.

In his remarks Mr. Hoover expresses concern about the widespread "disrespect" for universities, "law enforcement agencies and other insitutions. We would point out that if students are disillusioned with the universities it is because the universities have too long sanctioned ROTC, war research and discrimination against minority students. If Americans have lost respect for the police and National Guard it is because these agencies have been used to murder students at Kent State and Jackson State; they have been used to break strikes and occupy ghettoes in city after city. The violence and repression perpetrated by Hoover and the forces he represents is the real "extremism" in America and if Hoover is really concerned with "disrespect" for authority, he should relize that the "problem" will not go away until he and Nixon and Agnew put an end to their attacks on the rights of the American people and until all the troops are brought home from Indochina.

DONATIONS ARE NEEDED FOR PEOPLE'S REVOLUTIONARY CONSTITUTIONAL CONVENTION TO BE HELD IN THE LATTER PART OF NOVEMBER.

DONATIONS SHOULD BE SENT TO:
Constitutional Convention Committee
c/o Unity Bank and Trust
Warren Street Roxbury, Mass

A CHRONOLOGICAL HISTORY OF THE NATIONAL GUARD

(A MILITARY INTELLIGENCE SUPPLEMENT)

PART 1

I. *The National Guard Steals from Indians and Mexicans and Fights the Revolution*

1620 Captain Miles Standish, who could be considered the first National Guard captain, landed with men in Massachusetts and began stealing land from the Indians.

1629-1670s Militias established in all colonies in order to take by force land and lives of Indians, and protect British trade monopolies.

1636 Old North Regiment established in Massachusetts, which became Middlesex Regiment in 1733 and in 1770s furnished units for the "Minutemen" who fought British troops in Lexington, setting off American Revolution.

1745 The New England militias and British fleet successfully attacked the French fort of Louisbourg on Cape Breton Island, Nova Scotia, because French were threatening the British and New Englanders' "contentment": i.e., British monopoly of trade in North Atlantic.

1775-1783 Colonial militias formed the basis of Revolutionary Army under loosely unified command of George Washington. This was the forerunner of today's Army National Guard. Virtually the only link U.S. Army of today has with the Continental Army of the Revolution is through Army National Guard.

1792 Militia Act of 1792 required all able-bodied, white (see Military Intelligence Supplement: A CHRONOLOGICAL HISTORY OF THE BLACK SOLDIER IN AMERICA, June 1970) male citizens between ages of 18 and 45 to enroll in the militia and to spend a few days a year in training. Militiamen were unpaid, yet each had to buy his own equipment, which amounted to an extra tax. Those who didn't go to "muster days" (training) were fined or sent to jail. The rich paid the fine and evaded military service, while poor workers and farmers went to jail.

1812-1814 The War of 1812 clearly showed the ineptitude and confusion of the militia. At Detroit, Queenstown, and especially at Bladensburg the militia proved to be wholly untrained and fled from an enemy that was greatly inferior in number.

1815-1842 **Militia aided Regular Army in fighting "Indian Wars," and were most extensively used during the "Seminole War" when the U.S. took Northern Florida from the Seminole Indians.**

1840s Annual "muster days" fell into disrepute and were discontinued in most states because whiskey drinking, feasting, politicking and general debauchery became a substitute for military training. The Militia Act of 1792 encouraged the formation of volunteer, professional Organized Militias. Many states passed laws establishing and subsidizing professional militias and slowly disbanded the unruly and decadent mass militia enrollments.

1846-1848 The Mexican-American War in which Texas was taken from Mexico was fought entirely be volunteer professional militias (National Guardsmen) and Regular Army.

II. *The National Guard Supports Racism and Slavery*

1850s National Guard used extensively by slave-state governors to quell slave rebellions and as "night patrols" to enforce racial curfew laws.

1861-1865 During Civil War, militias in slave-states were reconstituted into Confederate troops. Besides fighting Union troops they engaged in terrorist attacks against local rebellious Black families. In non-slave-states, militias fought with Regular Union Army troops. 1865-1870s (ex-Confederates) used to disarm Blacks who returned South after serving in "Union Colored Regiments." Some of these Guard units became so violent that their own White governors had to disband or restrain them. There were frequent armed clashes between armed Black and armed white militias.

III. *The National Guard Enforces Poor Working Conditions and Breaks Unions*

1870s Giant corporations used National Guard and federal troops to break strikes. National Guard and federal troops were *never* used during this period to support workers in their strikes. Over 90% of active militia service was strike-breaking duty, as the following history demonstrates.



1875 TEXTILES: Workers at Fall River, Mass. staged an 8-week strike because management threatened to cut wages by more than 10%. After the third week of the strike, workers marched to City Hall to demand food for their starving children, and were met by three companies of militia (Guardsmen) and a cordon of police who prevented them from presenting their demands. Strikers held out for five more weeks before returning to work at reduced wages.

MINING: To reduce wages and break the Miners' and Laborers' Benevolent Association, F. F. Cowen, President of the Philadelphia & Reading Railroad and its subsidy, the Philadelphia & Reading Coal & Iron Co. (controller of largest collieries in the anthracite district), and of the Anthracite Board of Trade, a government agency, provoked the Miners' Association into a strike. Gowen admitted spending $4 million to break the strike, and was assisted by the Governor of Pennsylvania who sent in the National Guard to break the strike. Eventually, starvation forced the miners to give in.

1876 Federal troops were stationed at 70 places in South Carolina during the election of 1876 due to rioting which resulted from a clash between the Ku Klux Klan and the Black state militia.

1877 The "Great Railroad Strikes" of 1877 began when firemen and brakemen on the B. & O. Railroad halted a train at Camden Junction. Police dispersed the strikers, but the strike spread along the line and to other railroads.

WEST VIRGINIA: 1200 brakemen and firemen seized the depot in Martinsburg and stopped all freight trains, while in Keyser, when white and Black workers voted to join the strike, the Governor dispatched the National Guard at the request of the B. & O. owners. Guardsmen, however, refused an order to shoot at workers who were derailing trains and fraternized with workers, offering them their weapons. The Governor then requested and the next day received federal troops from President Hayes.

MARYLAND: Railroadmen and miners from Cumberland stopped trains coming in from Martinsburg. The Governor called up the National Guard in Baltimore who, as they went to board trains for Cumberland, were followed by thousands of protesting workers. When the workers tried to prevent the departure of the trains, Guardsmen fired into the crowd, killing 12 and wounding 18. The Governor then requested and immediately received federal troops to operate the trains. The B. & O. strike was broken 8 days after it began by mass murder and arrests, the use of federal and state troops as scabs, police, vigilante groups, and a hostile press.

PENNSYLVANIA: All freight trains in Pittsburgh were stopped by workers. When the local militia was called out, they fraternized with the strikers. The Governor called up the Philadelphia militia, which killed 26 and wounded 29 people, many of them women and children. Enraged crowds forced the militia to retreat and take cover in railroad shops. A Grand Jury investigation termed the action "an unauthorized, willful, and wanton killing . . . which the inquest can call by no other name but murder." In Reading, 13 workers were killed, 22 wounded in a clash with the militia. Workers became so enraged that Guardsmen had to flee the city in civilian clothes.

NEW YORK: The strike on the Erie Railroad spread to the New York Central and Lake Shore lines. Whenever Guard were called in, they fraternized with strikers. At Elmira, local troops were reported to be "in open sympathy with the strikers."

Government and industrialists began to prepare for future strikes by planning a large standing army, building large armories, centralizing state militias and passing anti-union "conspiracy" laws.

1879 Because of the inordinate cost of the National Guard, officials formed the National Guard Association (NGA) which became an expert lobbying device. They were extraordinarily successful in their repeated requests for large monetary appropriations from Congress, as well as getting periodic declarations that the National Guard is a first line reserve, to allay its fears of being destroyed by the Army. (The Army in return got increasing control and supervision of the National Guard.) Many state legislators used armories to distribute pork barrel to the district of every Congressman. New York, for example, between 1891 and 1910, built armories in 40 legislative districts at a cost of nearly $20 million.

1880s National Guard used to suppress the Populist revolt of farmers in the South and Midwest.

1884 Coal companies in Hocking Valley, Ohio, reduced wages and 4000 miners struck. The company announced a further wage cut, and demanded that miners sign a contract which forbade all present and future union participation and activity. Owners also used spies, Pinkertons (a private detective agency), and state militia. After six months, the starving men went back to work and agreed to the drastic conditions offered at the beginning of the strike.

1885 Workers in Saginaw Valley, Mich., struck lumber and shingle mills, demanding reduction to a 10-hour day and no reduction in pay. 5500 workers joined the strike and the

continued on next page

NATIONAL GUARD

continued from last page



PART 1

entire lumber industry was shut down. Owners imported 150 Pinkertons and called out the National Guard. Under the leadership of T. B. Barry, a member of the Knights of Labor, workers maintained the strike for two months and won their demands.

In Lemon and Joliet, Ill., 2000 stonecutters struck for a 50% wage increase. Owners brought in Black and white scabs, battles followed and the Governor called in the National Guard. When the fighting was over, four men and one woman were dead.

1886 20,000 butchers were locked out of Chicago packing plants because owners wanted to increase the work-day from 8 to 10 hours. The Governor sent in two regiments of the National Guard. Owners formed the Packers Association and hired several hundred Pinkertons and provocateurs to beat up strikers and their families. The strike was lost.

1892 RAILROADS: 400 switchmen in Buffalo went on strike for shorter hours and higher wages. For five days they succeeded in preventing the company from using scabs, until the Governor sent in several thousand Guardsmen.

STEEL: The Carnegie Brothers Steel Co. in Homestead, Pa., demanded that workers accept a pay cut; failure to comply would mean loss of recognition of their union. Workers refused, and on July 1, the company locked them out. The company had a fence three miles long and 15 feet high built around the factory, and hired 300 Pinkertons. At midnight on July 5, armed Pinkertons attempted a surprise attack. The strikers had been forewarned and drove the Pinkertons out of town. The Governor, who had turned down previous requests for troops, suddenly reversed himself and called 8000 National Guardsmen to Homestead. The Guard protected the construction of barricaded housing for scabs and escorted scabs in and out of the mill while strikers could only stand by. After a few months, the workers were driven to submission.

MINING: During 1892 National Guardsmen were permanently stationed in many mining districts. In Coeur d'Alene, Idaho, miners fought Guardsmen until federal troops were called in, martial law declared, and the strike broken. In Tracy City, miners liberated convicts being employed at almost no pay and then battled the Guard. In several instances entire trainloads of troops were taken captive and disarmed by workers, but the final victory was always with the Guard and owners. Some coal companies hired convicts and workers who were jobless for low pay.

1894 Employees of the Pullman Palace Car Co. went on strike, demanding restoration of the previous year's wages. The American Railway Union (ARU) supported the strike which spread to Chicago and vicinity. The General Managers Association (GMA) selected 3600 thugs, thieves, and ex-convicts who were deputized as U.S. Deputy Marshalls, then paid and armed by the company to operate the railroad. Scabs provoked strikers and then arrested them. Federal troops were sent to quell continuous disturbances. The ARU agreed to settle but the GMA would stop at nothing less than breaking the strike, which eventually they did.

1896 The Colorado Guard battled striking miners in Leadville and Cripple Creek, and many miners died. Battles frequently were fought between miners and Guardsmen or Pinkertons which resembled full scale wars more than they did labor disputes.

1903 A major accomplishment of the National Guard Association (NGA) was passage of the Dick Act which repealed the Militia Act of 1792, making the National Guard a reserve force, thereby preserving it as a federally funded institution.

1903-1904 Miners' strikes at Cripple Creek, Telluride, and Trinidad were instances where National Guardsmen were used by companies with excessive brutality, especially in the "Cripple Creek Massacre."

IV. *The National Guard Supports Racism and Exploitation*

1907 The International Workers of the World (IWW) and Western Federation of Miners led a strike at Goldfield, Nevada. The Governor of Nevada quickly requested federal troops, although it was later determined that this action was not warranted. Despite troops and a $100,000 effort by owners, the workers won.

1908 Following a claim by a white women in Springfield, Ill., of rape by a black man, a crowd gathered around the jail, demanding the suspect be lynched. After he was transferred to another town, whites invaded the black community and attacked homes and businesses owned by or catering to blacks. White owners who showed handkerchiefs averted harm to their stores. Blacks began to fight back, and the National Guard was called in. Four whites and two blacks were killed.



The Guard cordoned off the black ghetto and stopped all fighting.

1914 Many miners and their families were killed at Ludlow in another vicious use of the Guard by mining companies.

1916 The state militia was called out after 15,000 Iron Range workers went on strike and 1000 gunmen deputized by the local sheriff had not been able to stop them. Threo workers' deathers later, the strike stopped without a settlement, but workers won some demands.

The organized militia was officially named the National Guard with the passage of the National Defense Act of 1916, and it was made to conform to the organizational structure of the Regular Army. When called into active federal service, it was an integral part of the Army.

Over 150,000 Guardsmen were mobilized under the call of the President and 110,000 served under General John J. Pershing along the Mexican border, but the troops failed in their attempt to crush the popular revolution which had been won under the leadership of Emiliano Zapata. However, President Wilson refused to recognize the revolutionary Huerta government, announcing, "I am going to teach the South American Republics to elect good men." A subsequent invasion of the northern provinces of Mexico resulted in the capture and death of Pancho Villa.

1917 17 divisions of the National Guard were called up to fight World War I, the war to end all wars.

In East St. Louis, Ill., white workers began a race riot when an aluminum company being struck attempted to bring in black scabs. 39 blacks and 9 whites were killed when provocateurs spread rumors that two white girls had been shot. Mobs roamed the streets beating up blacks. The National Advisory Commission on Civil Disorders found "police did little more than take the injured to hospitals and disarm Negroes." The National Guard was ordered in, and violence temporarily ceased, until some whites drove through black neighborhoods firing into homes. Shortly afterwards, a police car drove through the neighborhood, and local residents fired at it. The next day, a black resident was shot on the street and all blacks without regard to age or sex were pulled off shreetcars or sidewalks and beaten or shot. Others set fire to black homes and by midnight, blacks were fleeing the city.

IWW lumber workers in the northwest started a strike. The government at once dispatched federal troops to put it down. Troops arrived at Cle Elum, Wash., hunted down all those who were on picket duty, took them to Ellensburg, and imprisoned them for several months without charges. In spite of this terror, the strike was joined by 50,000 lumber workers striking for the 8-hour day and better conditions in the camp.

1919 The National Guard was called into Chicago after a race riot had killed more than 20 persons. The rebellion began when police were requested to arrest a white for the murder of a young black and arrested a black man instead. After a week of violence the rebellion ceased.

Guardsmen were called out in Gary, Ind., during a nationwide steel strike in which more than 365,000 workers participated. Employers were prepared, and martial law was declared in every steel center. Armed gunmen hired by the steel trust clubbed and terrorized strikers, their wives and children. There were wholesale arrests, and meetings were broken up. In Hammond, Ind., five workers were shot from behind and many more were wounded.

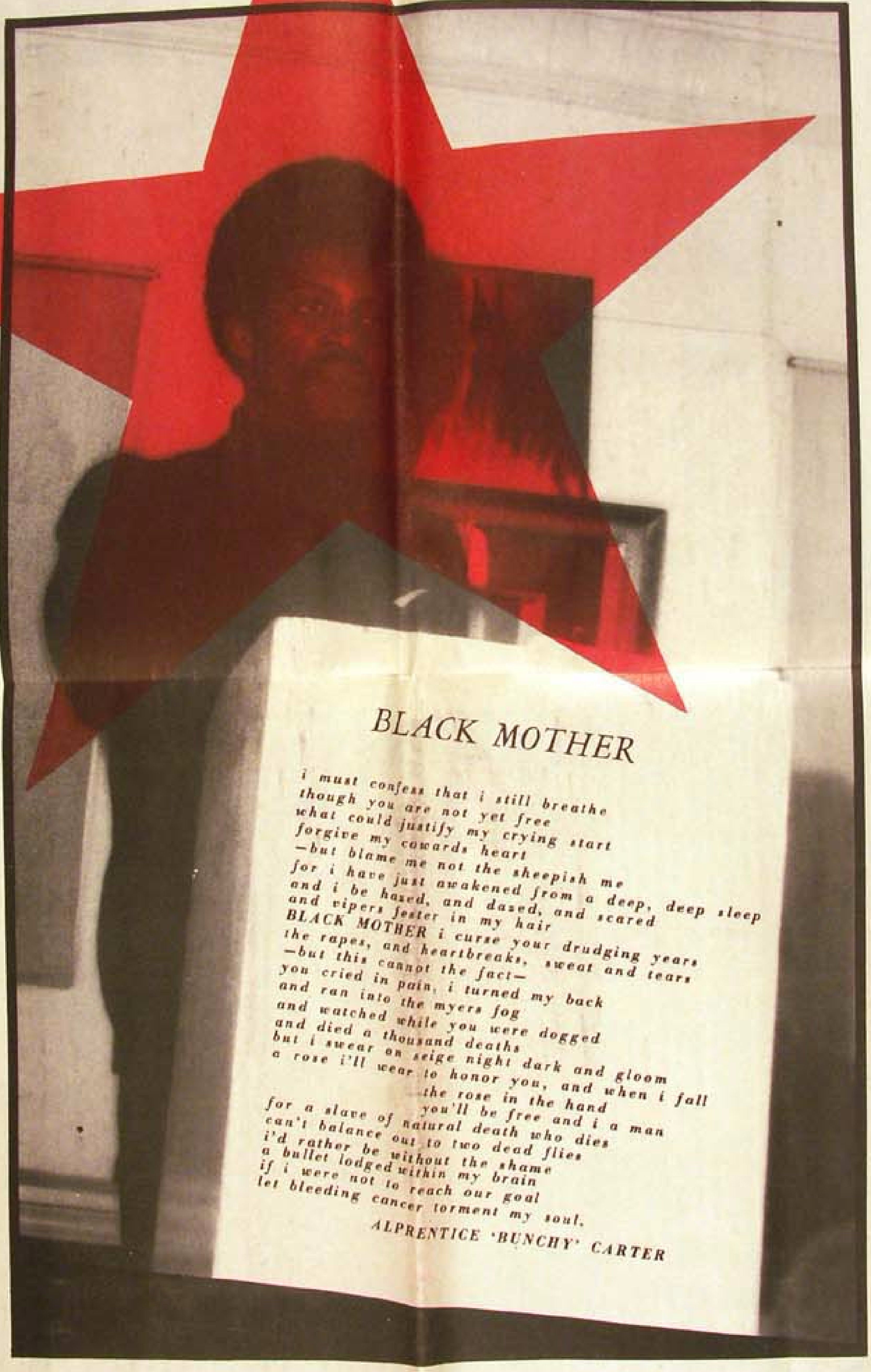
1920 Miners in West Virginia began to organize the United Mine Workers (UMW) and were strongly opposed by owners and government. Many miners lost their lives in open clashes with the National Guard, especially in Matewan and Tug River. Martial law was proclaimed in every coal district in West Virginia.



PART 2 NEXT ISSUE

ALPRENTICE 'BUNCHY' CARTER

DEPUTY MINISTER OF DEFENSE
BLACK PANTHER PARTY
LOS ANGELES, CALIFORNIA



BORN: OCTOBER 12,1942

ASSASSINATED: JANUARY 17, 1969

SHELLIE BURSEY AND BRENDA PRESLEY FACE FASCIST U.S. COURTS



Shellie Bursey, political prisoner

18 year old Shellie Bursey and 22 year old Brenda Presley, are both Panthers and members of the National Ministry of Information staff of the Black Panther Party. Shellie and Brenda have been going before the Grand Jury (In San Francisco) since the end of January of this year. This investigation was held for the purpose of intimidation and interrogation. This so called investigation first started with John Seale (brother of Chairman Bobby Seale), Sam Napier (The Black Panther Party's circulation manager) and Masai Hewitt who is the Minister of Education of the Black Panther Party. The court dropped their subpoenas and called Shellie Bursey and Brenda Presley to appear before the Grand Jury, Brenda has stated that "Just because they are sisters that the pigs think that they are weak and will submit to their repression."

Shellie and Brenda were declared by the U.S. fascist court as being reporters for the Black Panther Paper and subsequently are protected by the 1st and 5th amendments of the constitution of the United States. But the fascist U.S. Government showed proof that the use of Shellie and Brenda are an overridden nation interest, and so they were ordered to answer all of the questions. All of their so called constitutional rights were denied, but this is a very common occurrence since the oppressed have no rights that the oppressor is bound to respect.

In September Shellie and Brenda were sentenced to jail, because they would not answer the questions in court they finally took the 1st and 5th amendments of the constitution. Worhide who is the Assistant Attorney General who came from Washington, D.C. everytime Shellie and Brenda had to appear in court he as well as his assitant Heilbron, asked questions that only related to the Panthers who work to produce the Black Panther paper. But mainly asked questions pertaining to our Chief of Staff, David Hilliard. Questions were asked such as: How many people work on the paper? Who edits the paper? Does David Hilliard decides what articles go into the paper?

Many other questions were asked relating to the finance of the party and many other things as these questions were asked. Shellie and Brenda, they took the 1st and 5th amendment. Then it was ruled that Shellie and Brenda answer the questions and disregard their constitutional rights. It was stated that these questions were important to the interest of the U.S. Government and therefore they should be answered. Shellie and Brenda still stood uo for their rights and continued to take the 1st and 5th amendments of the constitution of the United States and they were ordered to jail for contempt of court for not answering the questions. Shellie surrendered to the authorities after the court procedures, but was released on a 10 day stay. On October 6th she was again called to go back to jail. Shellie Bursey is now a political prisoner being held in Santa Rita's women's prison. Brenda was 9 months pregnant at the time of the court procedures and has now had her baby. The pigs plan to railroad her within a matter of a few days.

Brenda has stated: "We understand that their attempts to make us answer questions about the paper are only a front. Because if we did, they would say that the whole Party is conspiring against the life of the President of this fascist country. As well as their false charge against us as being an internal threat to the American security."

The pigs are trying to stir up more trouble, and bring more false charges against our Chief of Staff; David Hilliard for his speech at the Anti-war moritorium on Nov. 15th, 1969. It is very clear that we are a threat to the oppressor because of our love for the people and our choice of revolutionary suicide rather than reactionary suicide to set correct examples and lead the people to liberation. Our road to liberation is the very distruction of the capitalism and fascism that the U.S. Government is the very perpetrators of. So we as revolutionaries have no regards for our lives as individuals, but give our very lives to the struggle of liberation for our people whom we have dedicated our very lives to. We live for the purpose of fighting to retain freedom for the people and we will never forsake our goal. Even though Shellie is now in jail held as a political prisoner, and Brenda subject to go within any day. We will never stop, because of the interrogations, and murders that are waged upon us. Because we as Panthers, we as true revolutionaries have conquered the one greatest fear that the pigs have placed upon the people, and that is the fear of death, and fear of torture by the sadistic nature of the pigs. We will not give in to the enemy but only fight with all strength and determination that we have.

As Huey has stated: "The paper is the voice of the party and the voice of the party must be heard throughout the land, because the voice of the party is the voice of freedom!"

We will continue to educate the people by any means necessary. The Black Panther Party's community newspaper can never be destroyed because it is the voice of the oppressed and that voice will be heard until total liberation is obtained. We will do any and everything to obtain that freedom. Shellie is now in Santa Rita, the first day she was there the pigs took her tampons and underwear and gave her a sanitary napkin with no belt to hold it up. Shellie is a strong revolutionary with no feeling or self sorrow for herself. She is only interested in the people's struggle, and therefore cares for her people as a whole rather than herself.

We say to the pigs that our spirits can never be broken even face to face with death our spirits are strong and we gladly greet death and all that is brought before us with revolutionary courage, and determination to lead the people to revolution. So all power to the people for they are the force that gives life to the vanguard, and the Party. And the voice of the party is the voice of the oppressed people, the voice that will be heard until freedom is gained.

FREE SHELLIE!
FREE BRENDA!
FREE ALL POLITICAL PRISONERS!

Candi Robinson
Ministry of Information
Black Panther Party
Oakland, Calif.

PIG JUDGE DENNIS THE PEOPLE'S MENACE

"He's a cop killer," Pig Judge Ralph Dennis raged in the courtroom at Alvin Joyner's hearing on Thursday, October 8th. Alvin Joyner is one of the brothers from the Black Unity Council, being railroaded through the fascist U.S. courts for allegedly executing Fairmount park pig Voncolln. Joyner has not even come to trial yet, but this supposedly unbiased judge tried and convicted him in one blast of hot air.

"A dotty old judge who should be retired to a stud farm," this same madman said on September 11th, referring to Black Judge Raymond Pace Alexander who had condemned the pig tactics used against the Black Panther Party, attended the Revolutionary People's Constitutional Convention and lowered the ransom on the brothers and sisters from St. Louis who were unjustly arrested by pigs on their way to the Convention. Ralph Dennis the people's menace, by his insane antics in the courtroom, has vividly shown his hard-core racism and determination to railroad Alvin Joyner, Robert "Points" Joyner, Fred Burton, Hugh Williams and any other Black person who appears in court before him straight to the electic chair.

Fearing that the masses would hear the truth about the Nazi-style proceedings in his court, he threw men and another individuals from the courtroom when he discovered we were taking notes at Fred Burton's hearing on October 7th. Deathly afraid that another "Jonathan Jackson" would occur in his courtroom, he ordered a busload of pigs to intimidate the people. To insure that his railroad operation would stay on the right track, he raged at lawyers who questioned pigs too closely for his comfort and told one of them that he had no right to tell his client to take the 5th Amendment because he (the lawyer) was not a resident of Philadelphia.

Pig Dennis stands tall in the fascist tradition, carried on by pig Judge Julius Hoffman, Pig Judge Murtagh and the other black-robed railroad conductors who preside over the courts of decadent America in judgment of our lives. The railroading of our Black men and women must stop especially of the revolutionary brothers of the Black Unity Council whose only crime is serving the people. The railroad express of pig "justice" will be derailed in the streets.

DEATH TO THE FASCIST PIGS!

Lynn Smith
Black Panther Party
Philadelphia Branch
Philadelphia, Pa.

OPPRESSION IS ALIVE AND RUNNING AMUCK AT CUYAHOGA COUNTY NURSING HOME

The Cuyahoga Country Nursing Home in Cleveland, Ohio, is financed by Cuyahoga County and operating funds are provided by the state of Ohio. The main function of the home is suppose to take care of patients with chronic illnesses and handicapped persons. Although the majority of the patients are invalids and have speech defects, some of them are able to speak very clearly and have spoken out against some of the injustices that exist.



Freddie Massy, victim of quack physician whose error caused permanent brain damage

Freddie Massey is nineteen years old, a patient at Cuyahoga County Nrsing Home, a victim of capitalist exploitation and oppression and a right on revolutionary. Freddie has been a victim of American fascism ever since birth, when a racist doctor with a "could care less" attitude used forceps to deliver him causing permanent brain damage, thus causing Freddie to be confined to a wheelchair forever. After the doctor admitted error the state then offered to take care of Freddie for the rest of his life rather than being sued. This meant being confined to the nursing home.

While at the institution, Freddie has become aware that the conditions that exist are a result of the decadence in American society. In some of his writings, Freddie often supports the revolutionary just struggle of Black and oppressed people in this contry.

Under the nursing homes crooked exploitative system, the state pays the patient $185 per month which is public subsistence (welfare). Those of us that are familiar with the deceitful welfare system know that the so-called aid it produces does little or nothing to help meet poor peoples basic needs. NOTE: It takes $7500 for a family of three to live comfortably (meeting basic needs) in Cleveland.

Out of the $185 that Freddie and other patients receive, they only get to keep $8 (eight). The rest of the money goes back to guess who? The fascist state of Ohio. The money that is returned is supposed to pay for food, clothing and nursing care, which should be provided "FREE" for those who are invalids. The patients are seldom treated like human beings or with dignity.

About three months ag, a priest came to the home and ran down what he called the gospel and religious ceremonies to the patients. Freddie didn't care to hear anything abut going to the mountain top and failed to adhere to his religious beliefs. Reverend Beasley became uptight because Freddie was more interested in the ideology of the Black Panther Party than listening to him. He responded by harassing Freddie every single chance he got, often threatening him with bodily harm. This obvious pig even denounced Freddie's father and called him various derogatory names. This wild, depraved beast found out that Freddie is a very articulate journalist and stole some of his writings and sold them to a publisher. Although Freddie is confined to a wheelchair, he managed to explain what ahppened to Mr. Thorton Green, the nigger overseer of the nursing home. Being the foot-shuffling nigger lackey that he is, old uncle Green did nothing to get Freddie's money for the writings and waited two months before he fired the pig priest.

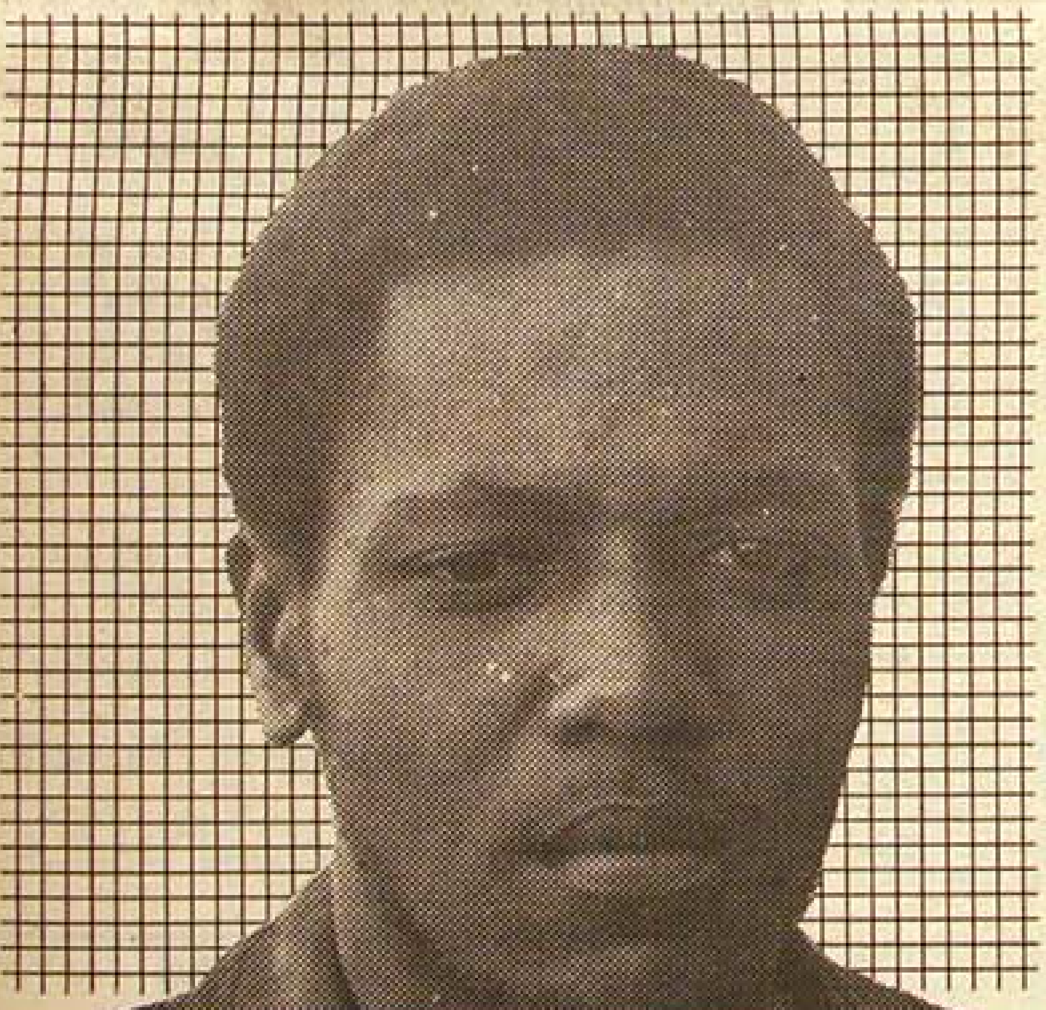
On Wednesday, September 30, the N.C.C.F. went to the nursing home to investigate the complaints of harassment. A patient, Mr. Clark wanted to have a birthday party on October 18, a Sunday. Although he had arranged for personnel to bring in hamburgers, ice cream and cake, the director of nursing, Mrs. Wright refused to let them have the party because she said: "They can't have hamburgers." However, the patients didn't want to have the party unless they had hamburgers. Mr. Clark had wanted to have the party for twenty patients, ten who could eat solid foods and ten who could not. The ten who couldn't eat solids were to eat ice cream. Their doctor, John Pickett, had authorized the birthday party, stating that those patients that could eat solid foods could have hamburgers. He left Mrs. Wright, the racist, a note to this effect and she immediately began harassing Mr. Clark, telling him that "no hamburgers would be served."

So we went into talk to this so-called administrator who tried to deny everything, meanwhile she was shaking to try to control her obvious lies. Then in came the tool himself, the standard bearer of lackeyism, the nigger of the day, Mr. Green, head nigger in charge, to oppress the patients. Like all endorsed spokesmen for the system of oppression, Green desperately tried to intellectually explain the poor balanced meals, the repression of certain political patients, the selfish attitude of the personnel towards the patients and of course the $8 a month the patients are supposed to survive on. This pig slobbered all over himself (and us) while failing to give us a valid explanation for the robbery of Freddie's writings. As I began to take a picture of Mrs. Wright, bootlicker Green got nervous and started stuttering and apologizing in fear that he would be exposed and lose his five and ten, meaningless job. He tried to tell us what a good boy he had been and even had the unmitigated nerve to tell us he was in the struggle. Freddie told him that he was an Uncle Tom and that Green also had harassed him. Green then began making all sorts of promises in an attempt to cool Freddie down. He finally agreed to let them have the party. Freddie concluded the discussion by telling pig Green that he was and always will be a Panther and if he or anyone else at the home harassed him he would call the N.C.C.F.

DEATH TO THE FASCIST PIGS!

N.C.C.F., Cleveland, Ohio
Phone: 881-5055
Curtis Johnson

DUCK: THE REAL VICTIM OF AN UNPROVOKED ATTACK



The fascist pigs in the Los Angeles area have worked very diligently towards destroying this chapter. Their general pattern has been to incarcerate several brothers on trumped-up charges, and after getting the brothers under lock and key, assault them and then charge them with an additional charge of "assault and battery on a pig."

George "Duck" Young is the first Panther in this chapter to be tried on "assault and battery on a pig" charge. He acquired this charge while incarcerated at New County Jail. The pigs jumped on him, beating and choking him until he was unconscious. To revive him, the sadistic pigs kicked him in the head. Two other inmates, Richard Maxwell and Harry Hicks, were also assaulted and then consequently charged with the same crime.

Duck was in trial for approximately two weeks on this particular case. The racist pigs, the victims of the alleged "unprovoked" attack, took the stand and lied about what actually happened. The lies were so blatant that even the jury of their "non-peer" group could detect it. One 6 foot two inches pig testified that Duck, who is 5 feet 8 inches, and weighs 140 pounds, knocked him to the ground and rendered him unconscious. Everyone in the courtroom had to laugh at the absurdity of this fabricated story. The other pig testified along similar lines and again it was evident that he was lying. The brothers took the stand and te pig D.A. tried to find contradictions in their testimonies, but to no avail. This was one occasion when the truth prevailed in a fascist courtroom. The D.A. got so frustrated when his attempts to vilify the brothers failed, he had to ask the pig witnesses for more information to build his story. He knew he didn't have a case against the brothers even with the sanction of the judge and jury.

The jury acquitted Duck and Hicks after a day of deliberation. But they couldn't completely tarnish the image of the "peace officers". Consequently they convicted brother Maxwell, the third inmate charged, with a misdemeanor battery.

Within the next few months, seven brothers from the Southern California Chapter are scheduled to go to trial on the charge of "assault and battery on a pig". They similarly acquired these charges while incarcerated at the county jail. We must not permit these attacks upon our people who are incarcerated and on the streets to continue. We must unite and deal a death blow to this fascist power structure and its goon squads in order that justice prevail not only in this country, but throughout the world.

ALL POWER TO THE PEOPLE
DEATH TO THE FASCIST PIGS

BLACK PANTHER PARTY
So. California Chapter

RESOLUTIONS FROM THE LABOR MOVEMENT

This resolution was passed by San Francisco Social Services Section of Local 400 on September 2, 1970:

Whereas the Black Panther Party is undergoing harassment and persecution by the police in many parts of the United States, and its members deprived of their elementary civil rights,

Whereas the government has been pursuing policies that are leading to mass unemployment and inflation affecting both white and black workers,

Despite whatever differences we have with the Black Panther Party, be it resolved that the Social Services Section of Local 400 condemns the police repression of Black militants and warns that such a brutal miscarriage of police powers can easily lead to attacks on the labor movement.

That representatives from Local 400 to the Central Labor Council be instructed to present this resolution before that body.

This resolution was passed by the Caseworker Chapter of SSEU-371, Local of District Council 37, New York, on Sept. 9.

Moved that the Caseworker Chapter recommend to the SSEU-371 Executive Committee, Delegate Assembly and membership unconditional defense of Angela Davis and the Black Panther Party, now under attack by Nixon and Agnew seeing it as an attack on the working class as a whole.

Moved that SSEU-371 immediately publicize its position and conduct a struggle within DC37 and AFSCME for unconditional defense of Angela Davis and the Black Panther Party by the labor movement as a whole.

Reprinted from the Bulletin
September 21, 1970

THE N.Y. 21 COME TO COURT WITH FREEDOM ON THEIR MINDS

Wednesday morning Afeni Shakur got up as usual to begin her day of intimidation by Murtagh's magicians on Center Street. As she was about to leave the house, her phone rang---"Your mother is dying, get over to the hospital." Frantic at the thought of losing her only parent, Afeni rushed to her mothers house for details, only to find that the pigs had played a dirty joke on her and her mother (her mother was breaking her back at a lampshade factory)! Still frantic she called the East Coast Ministry to tell them to inform either her lawyers or the pig court that she would be a little late.

Afeni arrived at 100 Center St. Thirty minutes later she met her attorneys in the corridor and discovered that Murtagh had intentions of understanding any - thing except the time old story of acute repression. At the end of the day John Murtagh simply and emphatically revoked her bail.

What Murtagh did not count on, was the will of the people to free Afeni. On Thursday afternoon, less than twenty four hours after her kidnap, the prisoners at Queens Branch House of Detention (where 10 of the N.Y. 21 are being held hostage) reversed the tide of history by taking four hostages and demanding not only the immediate release of Afeni, but also the (release of other grievances.)

After the threat of death to the hostages and many other retaliations, Murtagh consented to reinstate Afeni's bail. Not however, before he forced her to lie about her lateness. To compound this John then just insisted on her behaving as he put it "like a lady", a clear indication of his sexist chauvanistic nature. Afeni remained silent during these humiliating proceedings, watching a racist pig direct her life as though she were a god child.

Her only thoughts were of Jonathan Jackson, the Bolivians and the Tupamaros and their relationship to us. It is a sad appendage but we can be oppressed by the real fact that the N.Y. 21 came to court, with the ultimate freedom on their minds. It is just a matter of time.

VICTORY IS OURS!

East Coast Ministry
Black Panther Party

JAMAICA BRANCH DESTROYED BY MYSTERIOUS FIRE



Front of office, window on left knocked out

Early Friday morning, between 1:30 and 2:00 A.M., the section office of the Jamaica Black Panther Party on New York Blvd. was set on fire by elements outside of the Black community.

A brother named Cliff Baghlogunhyde told us that he had been riding by the office at about 2:00 A.M. and there were about 6 fire engines, and about 6 pig cars outside of the office. The

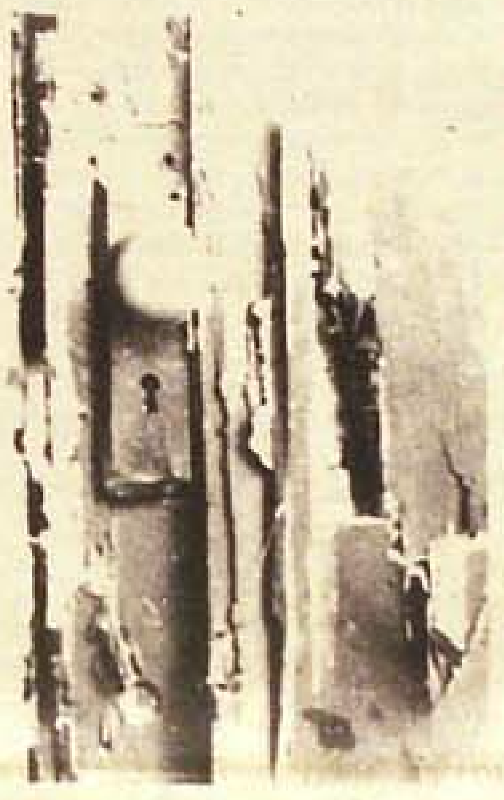


Back of office

fire was almost out, and the fire department pigs were in the process of destroying the office with their equipment. There were reporters on the scene. And photographers were taking pictures of the office and the area. The pigs and reporters were asking questions of the people who were outside. The brother called the Harlem Branch, because he did not know Jamaica's number, and they told him to call East Coast Ministry of Information. Brad, from Ministry called us, and John Thomas, Owens, Ignae, and Avon got a camera and went down to the office. By the time we got there at about 2:30 A.M., the fire was out, and the firemen and reporters had already left, there were only 2 pig cars left in front of the office. When we drove up and got out of the car, 2 of the pigs went and blocked the doorway of the office, so that we could not go inside. The rest of the pigs were just hanging around grinning like they thought that they had really made a major accomplishment by destroying the office. They said that no one was allowed in the building until the fire marshal came. Meanwhile, the pigs just stood around and laughed over their so-called victory. Avon and Owens went over to get their badge numbers and they started acting real silly saying things like "Here, you want my badge number and sticking their chests out, and giving little smart remarks, their badge numbers are 13445, 17405, 254-Sergeant, and pig D. Keane - 22654,.

There were people from the community on the set, and they were giving the pigs a lot of static. They were telling the pigs that they (the pigs) had burned the office. One sister, who lives across the street from the office, told the pigs from her window that the people from the community would rebuild the office, and that she would help, because the office belongs to the people, and the people would not stand for it to be burned again.

We made an attempt to contact the Bronx Ministry of Information, and a lawyer, but the pigs had turned off the telephones in the area. A sister told me to come over to her house and make the phone call. The pigs really got uptight over this. When we returned from making the phone call, we started to investigate the damage done by the fire. The back, on the outside of the building, was burned, and the roof had been chopped up by the fire department pigs, in an attempt to completely sabotage and destroy the building. The fire started at the rear of the building, close to the ground and burned all the way up to the top of the building; The inside of



Door firemen used axe on

the building was not burned, but has been flooded and chopped up by the fire pigs, they had chopped up the door, chopped up the back window and roof, broke the front window, flooded the place entirely and just generally ran amuck.

The people wanted to know what was taking the fire marshal so long, since the pigs had told them that he was coming at around 3:45 A.M. 2 fire marshals named Brown, a nigger and his sidekick, Brunner, a White pig showed up. Fire Marshal Brown, the nigger, did all of the talking asking a lot of dumb questions and looking around inside and outside of the building with a flashlight. He was asking questions like who pays the rent, the person's name who the building is rented out to, and how long it has been rented, questions with no answers. After he had checked everything out, he came to the conclusion that someone had set the building on fire. That was already obvious to everybody. Then he asked us who had set the building on fire, as if we knew who had done it. He also asked if a Panther had done it, and that if one did, he would arrest him. As if we were crazy enough to set the people's office on fire. Brown stated that it seemed as if someone had poured some liquid all around or had thrown a molotov cocktail. Brown, after standing around for about half an hour talking a lot of crazy uncalled for junk, trying to trick people into believing that he was not a pig, walked across the street, and made an attempt to open the door and just walk on into these two sisters house, but the sisters, who were sitting in the window, stopped him at the door and asked him where the hell did he think he was going. He told them that he just wanted to talk to them. They told him that there was not a thing to talk about, but if he wanted to do something, that there was a gas leak in the candy store below them, and that since he was from the fire department, he should do something about that. Brown exposed his true



Wrecked office pig's handiwork



Ceiling and wall where axe was used

piggish nature before he left by saying that he did not care if the whole block blew up.

We know by living in the Black community, that the pig power structure does not care about the welfare of Black people. That is one reason that the Black Panther Party was organized. Because we love and serve the people. The pigs of the power structure and their lackeys cannot and will not destroy the Black Panther Party by ripping off our leadership, or by burning our buildings. The people in the community have already shown their concern by telephoning in, and by coming in and offering to rebuild the office. The power of the people is greater than the man's technology.

ALL POWER TO THE PEOPLE

John L. Thomas and Ignae Gittens

Black Panther Party
Jamaica Branch

THE GUN IS MORE EFFECTIVE THAN THE VOTE

It's election time and the lying politicians are up to their regular tricks. There is a mad rush, by the politicians to vamp wildly through the Black communities spreading false promises and lies with every step they make. We realize that for centuries opportunists have endorsed a system that has enslaved the lives of people. Today that same system still stands, but this time it is a huge monster that feeds itself in the communities of the oppressed people. The general population of Baltimore does not recognize the true nature of these politicians.

Since the laws and legal shams play a large part in our lives as slaves, we must move to evaluate these laws and move to deal with them in the proper manner. There is no doubt that these laws work against our struggle for freedom. Thus realizing this the only thing we have left to do is destroy them totally. Agreed on their destiny we first have to fight our way past their endorsing body guards. The lying politicians must be dealt with. We must see to it that they are not allowed to enter the Black community to hang their brainwashing posters on our walls. They must be stopped in their attempts to trick us with their lies.

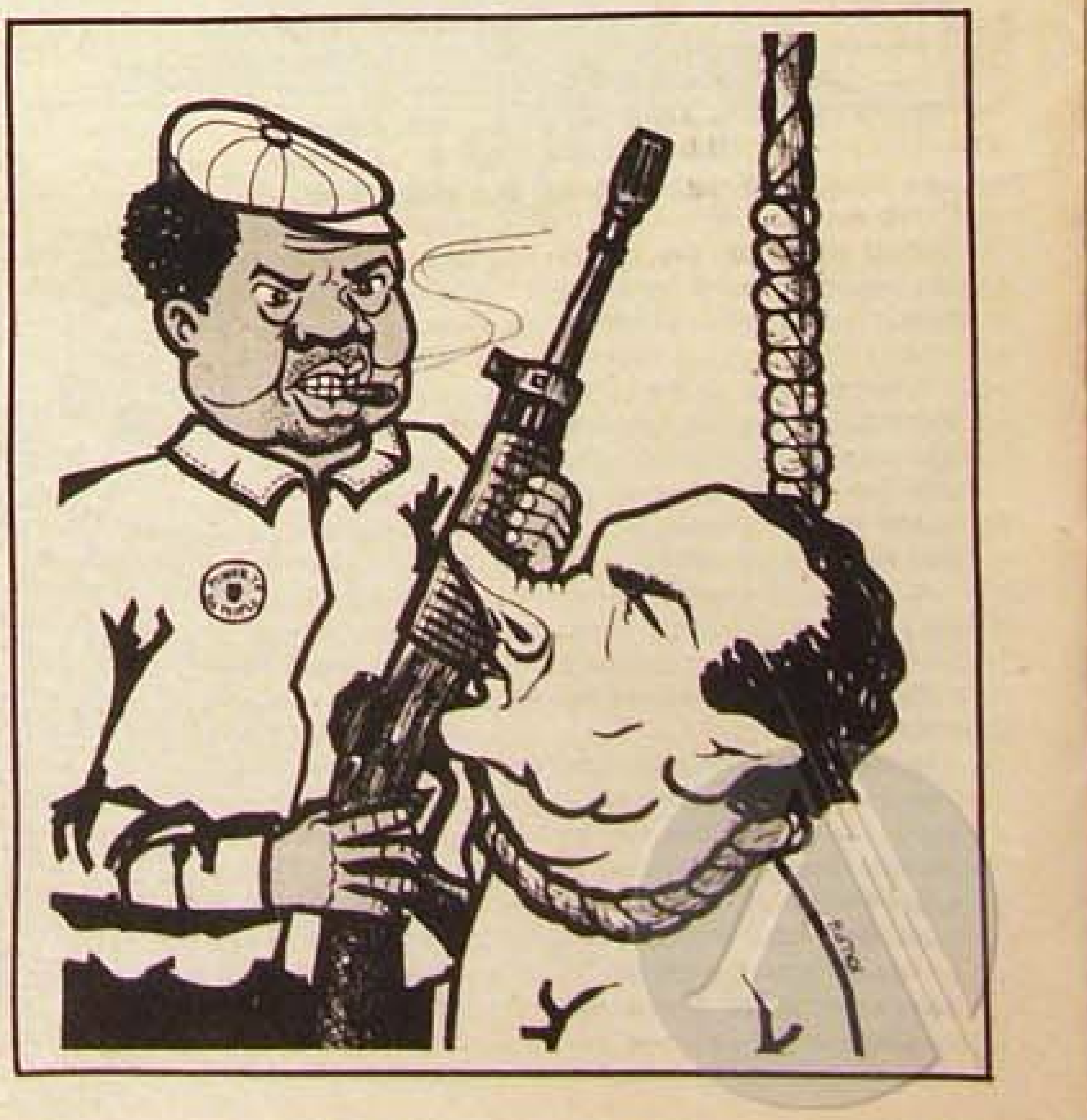
Next comes the racist dog police who protect the lying politicians. The racist dog police have proven themselves as enemies of the people and it is the people who must arm themselves and get rid of the pigs by any means necessary. The lying politicians and the gun toting police will strive until death to keep us hungry, clothesless and houseless. As long as they are allowed to have power in their hands they will use this power in all ways to keep us oppressed. The power has to be taken out of the hands of the pigs and their puppet supporters and placed in the hands of the people.

All candidates, governors, mayors, states attorneys and congressmen work within the framework of a structure that can only ensure freedom by its total destruction. Therefore no politician regardless of promises or function can do the people any good. The people of Baltimore must call for total elimination of Baltimore's government and all reactionary politicians and pigs that endorse it.

BUST THE POLITICIANS AND THE PIGS

FREE THE BALTIMORE PANTHERS

Baloti
Baltimore Chapter
Baltimore, Maryland 21213



THE CLEVELAND 2 EACH ILLEGALLY HELD ON $100,000

Let me begin by saying that fascism is not something we think will happen or expect may happen. But fascism is happening and running amuck throughout Babylon. The Cleveland N.C.C.F. has been under constant attack and harassment from the Cleveland Pig Department. The N.C.C.F. and the Black Panther Party are a dedicated group of oppressed people.

On Monday, September 28th, approximately 11:30 p.m., Darryl Harris, 18, and Essex Smith, 19, had left the N.C.C.F. office after selling papers and were on their way to Darryl's pad when they were kidnapped near our office on E. 79th and Central Sts. At that particular time a White couple was supposedly kidnapped, robbed and the girl supposedly raped. The pigs' account of what happened states: Sharon Weber and Ralph Grayer, Cleveland state students, claimed they were approached by two Black men with guns and were forced to drive to E. 79th and Central across from the N.C.C.F. office. They claim that she was kidnapped, raped and her boyfriend Ralph beat, and robbed and his wallet stolen.

We have witnessed the pigs underhanded tricks by these obvious false charges, are not only fascist in nature but are part of the nationwide conspiracy to destroy the Party. Darryl and Essex were charged with abduction, rape, robbery and with intent to kill (pigs). After the arrest, neither Sharon nor her boyfriend could identify Darryl and Essex simply because they had nothing to do with it. The only reason they were busted in the first place was because they are dedicated N.C.C.F. members.

After literally forcing Sharon down to the city jail four times, investigating officers finally intimidated her until she lied. Darryl and Essex were then held on $40,000 bail (ransom each). The essence of this fascist frame-up must be understood by all Black oppressed and progressive people. Historically, during the early 1900's a Black man was lynched every other day. The racist excuse for the most of these savage murders was that a Black man had raped a White girl. Now in 1970, we have Northern legal lynchings and the U.S. Constitution has failed to serve oppressed people in Babylon. The decadent judicial system along with the archaic constitution has railroaded oppressed people through racist juries, judges and pigs.

On Thursday, October 8th, Darryl and Essex went to what was supposed to be a preliminary hearing, instead a fascist finale Kangaroo Court, Disneyland, fully equipped with Hollywood actors prevailed. The court of injustice became a Broadway spectacle. Ralph and Sharon played their puppet roles as Ralph testified that he couldn't identify either of the brothers. Pig Michael Toth oinked, while dancing to a fascist tune, that he had found Ralph's wallet in the brothers possession. Meanwhile the pig prosecutor whispered in the judge's ear and chief actor, fascist Judge Michael "Hangman" Fenghan pretended to feel sorry for little innocent (sick) White girl. Then in came lying Sharon who said that Essex and Darryl had kidnapped and assaulted her. Darryl called her what she is, a liar. Fascist Judge Michael the "Hangman" then ordered his sadistic guards to take the brothers to the lock-up and the brothers responded by telling the pigs to get their hands off of them. Old decrepit "Hangman" then climaxed the circus by raising their bail to $100,000 each.

The constitution that supposedly protects us from unreasonable and excessive bail has again been proven irrelevant. But you and I understand this type of racism. All we have to do is remember our Chairman Bobby Seale gagged, bound and denied his constitutional rights by Pig Julius Hoffman, N.Y. fascist Murtagh and the N.Y. 21's $100,000 ransom, "G", and the recent Philadelphia raid.

We are hereby informing Pig Chief William "Wild Bill" Coffey, William "Eichman" Leisman, and the racist power structure that we want the Cleveland "2" back on the streets, not because of the excessive bail but because they are innocent. We have said that the present constitution has not, is not, and will not serve oppressed people in this country. We then must go to Washington, D.C., to the Revolutionary People's Constitutional Convention and provide new safeguards for our future security.

Being aware of our oppressive situation we are armed and will not hesitate to kill or die for our freedom. If America can tolerate fascism then America can tolerate some dead fascists. We are victims of madness and the people's warriors have been kidnapped from the arms of Black people so open up the gates and let the madmen out. To the people, a defense fund has been established to help get our brothers back on the streets with the people. Donations can be sent to:

N.C.C.F. POLITICAL PRISONERS DEFENSE AND BAIL BONDS COMMITTEE
2312 E. 79th St.
Cleveland, Ohio

DEATH TO THE FASCIST PIGS
FREE ALL POLITICAL PRISONERS

N.C.C.F., Cleveland, Ohio
Curtis Johnson

BRUCE RICHARDS FACES THE RACIST COURTS IN LOS ANGELES COUNTY

Bruce Richards, a courageous revolutionary who worked diligently in the Southern California Chapter after coming out of Tracy State Prison, is now on trial here in Los Angeles for allegedly attempting to snuff out the life of two pigs in October of last year. During this alleged incident, another strong comrade, Walter "Toure" Pope, was wantonly and brutally shot and left on the streets to die by the fascist dogs from Los Angeles Pig Department.

Bruce has for the past year endured the wretched conditions in the foul county jails awaiting what will be another attempt on the State's part to put away or silence (for a number of years) another comrade active in the struggle for our liberation and freedom. Since his incarceration Bruce has suffered numerous attempts to brutalize him, and when, on one occassion he had no other choice but to relate to self-defense, he was charged ironically with "battery on a pig" He has suffered physically due to improper diet and inhumane living conditions and his repeated trips to the "Hole" for being a man, and not allowing the sadistic guards to castrate and dehumanize him. The very fact that he's still alive, high in revolutionary spirit, is a feat within itself, knowing the plans of genocide the pigs have in store for members of the People's Army.

A minor victory in the pigs court, has allowed a change of venue, from the racist suburbs of lily-white Torrence, to the city of Los Angeles which doesn't offer any insurance of a fair and impartial trial). His attorney has also filed a motion with the supreme court challenging and protesting the "racist composition" of the fascist grand jury who blatantly sat in judgment of Bruce and naturally felt there was cause to hold him for this alleged crime.

To hope for a fair trial during this era of political repression and "Law and Order" is to hope in vain. The pigs of this country by their extensive scare techniques have strewn fear in the hearts of the so-called silent majority (the same silent majority who will sit in judgment of Bruce) causing a panic simillar to that of the McCarthy era. To add to the adverse condition surrounding his trial is the fact that the brother is a known member of the Black Panther Party. This in itself is a threat to their already paranoid minds.

Bruce, while going through this "so-called" trial, knows in the final analysis, that the people are the only ones who can rightfully pass any judgement on him and any other brother dedicating their lives towards our national salvation.

We will continue to exhaust the "due-process" system that is shrinking every day for anyone advocating change in this Imperialist State where to dissent is to be a threat to its internal security.

We demand the freedom of Bruce and all political prisoners here in Babylon and manifest our faith in the people to inflict a political consequence in the event of their deaths and/or convictions to long terms in these fascist camps.

FREE BRUCE RICHARDS
FREE ALL POLITICAL PRISONERS
Black Panther Party
Southern California Chapter

SEIZE THE TIME BENEFIT A SUCCESS



Elaine Brown



The Lumpen

Last Sunday night, October 11, 1970, approximately 200 people viewed a performance of Revolutionary Culture. Ealine Brown and the Lumpen of the Black Panther Party got together and sang revolutionary songs.

The place was the Sportsman Club on 53rd and Grove Streets in Oakland. The purpose was a "Seize The Time - Free Chairman Bobby Seale Benefit". It was a tremendous success.

The Black Panther Party gratefully acknowledges the participation of the people. We thank you for your participation and for heli for your participation and for helping to Free Political Prisoners by making the benefit a success. A more extensive report will appear in next week's paper.

You will be invited on October 25, 1970, to another 'Seize The Time Benefit' and to witness another performance in Revolutionary Culture, watch for leaflets in the community, and announcements in the paper.

ALL POWER TO THE PEOPLE

We are grateful to the Masses

TUPAMAROS NATIONAL LIBERATION MOVEMENT ISSUES MANIFESTO TO URUGUAYAN PUBLIC OPINION

REPRINTED FROM GRAMNA

● MONTEVIDEO, September 17 (PL). — The Tupamaros National Liberation Movement has made public a document whose publication it has set as a condition for the release of one of the foreign officials in its hands.

The document reads as follows:

Manifesto to Public Opinion:

Everybody knows about the exchange proposal we have made to the Government.

Everybody also knows about its irresponsible reply.

While the Government was telling the people that it was "not willing to negotiate with criminals," it was secretly negotiating with us. Sometimes it wouldn't agree to our terms, and at other times the talks would be broken off in midstream.

The people were not told of the fact that police chief Col. Rivero kept Judge Diaz Romeu from suggesting an extension of the 72-hour deadline to a mediation commission in order to continue negotiations over Mitrione and Diaz Gomide just before the scheduled deadline was due to run out.

The people were not told that police officials and the Minister of Culture took part in negotiations at the Punta Carreta jail which dealt with the release of the captured foreign officials in exchange for that of the student prisoners, handing the rest over to a judge, and the publication of a manifesto — a proposal which the Government had accepted.

The lives and security of our prisoners have been risked not in defense of any high principle, as government spokesmen have alleged, but, rather as a result of wretched, beggarly haggling.

This is their "principled" conduct; this is what they haven't told the people.

Meanwhile, they have launched an unprecedented repressive offensive against our organization and the people as a whole. The country has been put on a war footing; troops have been in the streets, breaking into thousands of homes at any hour of the day or night; hospitals, schools, churches and sports clubs have all been entered.

Those few guarantees that did remain to us have been formally eliminated. Thousands of citizens have been arrested and humiliated; junior high schools have been closed; calls for torture have come from the most disparate positions; millions of pesos denied the workers have been used to pay stool pigeons; an unprecedented reign of terror and smear campaign have been unleashed in the press; and, have been made to turn everything upside down.

This isn't the first time the people and their organizations have been attached. This has been going on for close to three years now, during which time those in power have closed down newspapers; dissolved political parties; reduced workers' wages with their clubs; put thousands of Uruguayans in jails and barracks; beaten and killed students and workers; made torture a common institution (as has been verified by Parliament); censored newspapers, songs and the sayings of Artigas (the Liberator); persecuted culture and learning in all its forms, cravenly sold out the country to foreign masters; closed down trade unions and prohibited trade union activity; and done away with Parliament, the Constitution and both individual and collective rights.

All this has, of course, been carried out in the name of the defense of a way of life and an order which is merely their order and their way of life.

The order of a minority that has taken over the country and is exploiting the majority of its inhabitants.

The order of an unproductive system of land ownership which condemns the small farmers and rural peons to misery.

The order of the great banking chains, with their illegal financial transactions; the order of the ministers, police chiefs, politicians, corrupt officials who only function if they are bribed and others of their ilk.

The order of unemployment and slums.

The order of the young people forced into crime and emigration.

The order of the orgies at Punta del Este.
The order which leaves the pensioners forgotten amidst their misery.

The order of the hospitals where the poor die of hunger, as in the Etchepare colony.

The order of the people without homes, culture, health or jobs.

The order — in short — of a minority that grows rich from the sufferings of the great majority.

Our rebellion is against that order and way of life. This rebellion will not be crushed by police dragnets or Pentothal, nor will it be stopped by stool pigeons — no matter how many millions they are paid.

Gentlemen rulers, once again you have blundered and been irresponsible.

The present situation of the country requires political, economic and social solutions; repressive replies are useless. We expect that now, after you have used all the police forces imaginable and thrown all your available forces against us, you will realize, once and for all, that the National Liberation Movement is not a gang of criminals.

The National Liberation Movement is the armed political organization of the students, workers, employees, rural workers, intellectuals, unemployed — in short, all the exploited social sectors in your order of injustice.

From them we have drawn our members and become organized; from them we have drawn our support, and we fight in defense of their interests.
You don't have to go looking for foreign formulas to explain our existence.

Our struggle is the natural and logical continuation of the best of our forefathers, with methods to fit the times in which we live.
The fate of our nation lies in the barrels of our underground weapons, just as yesterday it lay on the points of the lances used in our hills, but there is a difference: yesterday our victories were taken from us, but today this cannot happen. Today things are clearly and definitely against you.

Now it is a case of the conscious entry of the dispossessed masses into history to forge their own destiny. Our program is of those sectors and that historic tradition. We believe that the problems of our country will be solved when the land is placed at the service of society as a whole rather than at that of a handful of privileged individuals; when it produces the riches it should produce and these riches serve the needs of the people — when, as Artigas wished, the land is placed at the service of those who have suffered the most.

When monopoly capital is eliminated from banking, industry and commerce and these key sectors of the national economy serve the workers and the people as a whole.

When the shameful ties that link us with foreign exploitation are broken and we carry out a patriotic, truly independent foreign policy.

When the right of all to culture, health, homes and jobs is made a reality (now this is just a theory). This can be done as soon as the resources which now go abroad and are spent on speculation, luxury and unproductive activities are reinvested to meet these needs.

When the money stolen from the people and the nation as a result of all the great political and economic swindles is returned and those guilty, punished; when the workers can fulfill their just role in the running of their own affairs and those of the nation.

These are the basic points of our program, for which the popular organizations have been fighting throughout many years in different ways.

Our struggle will go on until all this is made a reality. On behalf of all those exploited sectors, on behalf of our historic traditions and in the name of our program, we say: we won't respect your order any more. No longer will we accept our position as nonparticipants in history. Now we demand the right to forge our own destiny, and we will take that right, arms in hand.

The people decided to return blow for blow sometime ago. Your war of repression will be met with the only possible reply: revolutionary war. This is what we are working on.

Finally, as an expression of our desire to spare the country suffering which nobody wants but which we are determined to assume — and for which we have our arms, our martyrs and our cause — we publicly proclaim:

We are willing to discuss an end to hostilities for an agreed-upon period of time, on the following basis:

1) The release of all political prisoners.

2) The reinstatement of all those who have been fired from their jobs and the return of all the money taken from the workers in the form of trade union sanctions.

3) An end to all wage freeze laws and decrees.

4) An end to all special interventions at educational institutions.

5) The restoration of all individual and collective guarantees by the present government.

6) An end to all the repressive and reactionary measures taken by the present government. Under no circumstances will we enter into talks about our possession of weapons or the existence of our organization because, in the final analysis, these are the only guarantees in the hands of the people.

Thus, we publicly take the initiative along these lines.

The Government has the floor. If it agrees, we will negotiate and fulfill our part of the corresponding agreements. If it doesn't, it will have chosen war, and if there isn't a homeland for all, there won't be a homeland for any. This will be our slogan.
That is all.

PUBLISHED: 9/18/70

SAO PAULO

Vigilantes' Squad Kills 6

Sao Paulo, Brazil---A notorious, vicious squad of death has committed three more assassinations bringing its two-week toll to six, in Brazil's industrial metropolis.

A similar gang operating in Rio de Janeiro has gunned down 35 people in the last two months and protests are beginning to be heard about the self-appointed death squad.

The squad is composed of uniformed pigs seeking "instant justice". The Sao Paulo squad of judges, jury, and executioners had as its latest victims a dope peddler, a bank robber, and an auto theft specialist. Their bodies were found on a little traveled road, where they had apparently been beaten, tortured, and shot. Witnesses to some of the killings say pigs and pig vehicles have been seen at death sites. Bullets have come from machine guns and pistols used by the pigs.

The increasing number of killings is causing wide spread outrage and promoting vigilante grouping within the pigs' ranks which has become a gang of self-styled "defenders of justice" bent on a policy of assassination.

Newspapers and the general public are beginning to wonder where the group will strike next and if it would, in fact, progress to seeking out other elements of the general population.

We cannot allow pigs to patrol our communities and it is the right and the duty of people across the world to rise up against this beast of oppression.



A LETTER FROM DON LUCE; DON HAS LIVED IN VIETNAM MORE THAN TEN YEARS. SPEAKS VIETNAMESE FLUENTLY; IS CO-AUTHOR OF VIETNAM: THE UNHEARD VOICES.

Saigon, August 30, 1970

Dear Friends,

Attached is a letter written by Vietnamese women whose children are in jail. I have met and talked with these women. They are mostly very poor, supplementing their family's income by selling in the market-place or working as laborers. They want to know what has happened to their children since they were arrested.

"Please help me to find out if my child is alive or dead," one woman asked with tears running down her cheeks. "I must know what happened to him before I die."

Eighty women, all who have children in jail as political prisoners, met from 6 p.m. until 9 p.m. on the night of August 27th to try and find a way to get decent treatment for their children. With them was Mrs. Ngo Ba Thanh, an internationally known lawyer with a PhD from Columbia University, who has herself spent over two years in jail for speaking out for peace. The women decided to take advantage of Vice-President Agnew's visit to write him a letter asking for basic prison reform. "The United States must share the responsibility for torture and injustice within the Vietnamese prison system," the women said. After all, their children had been arrested by police paid by the U.S. (the U.S. spends more than twice the amount on "Public Safety" as it does on education in its economic program to Vietnam); the teargas and other tools of repression are "made in U.S.A."; the U.S. financed Phoenix Program and U.S. military operations are responsible for the arrests of many of those imprisoned. Then the women wrote Vice-President Agnew:

"The role of the American advisory should be to improve the prisoners' conditions, not merely to watch the tortures done to our children who suffer from hunger, thirst, disease and survive in agony in jail."

But they could not meet Vice-President Agnew--or even get their letter to him before he left Vietnam. When they went to the U.S. Embassy on Friday morning, the American MPs would not let them into the Embassy. No one would telephone anyone inside to come out and meet the women. Nor would they accept the letter and take it inside for the women. "No is no," one of the MPs told Mrs. Thanh.

"Whenever the U.S. officials come to Vietnam, they talk only with the government officials and not with the people," said Mrs. Thanh. "If the U.S. wants to understand the aspirations of the Vietnamese, it must talk to the people."

At three p.m. an officer at the U.S. Embassy received the attached letter from the women whose children are in jail. But the Vice-President had left four hours earlier. When I met the women at 7 p.m. that night after they had learned that their letter had not reached Vice-President Agnew before he left, they were sad and angered. They do not belive that Agnew will ever read the letter. They had tried to tell the story of what is happening to their children, but failed. I promised them that I would tell my friends in the U.S. and Europe about their letter, now I ask you to let as many people as you can know about the day the mothers whose children are imprisoned could not meet with the Vice-President.

Sincerely, Don Luce (c/o JUSPAO Press Mission, APO San Francisco 96243)

TO MR. SPIRO AGNEW, VICE PRESIDENT OF THE UNITED STATES OF AMERICA, C/O THE U.S. EMBASSY, SAIGON

Dear Mr. Vice President,

We know that your visit to Vietnam is connected with the making of important decisions. We also know that you are a father, the head of a family. As a father, you have deep love towards your children and you have experienced moments of anxiety when your children are in danger. As a leader of your country, you have many concerns on the South Vietnamese Government action. It is with this knowledge that we are taking the liberty to write to you this letter.

We are the mothers of the political prisoners detained in the various prisons of South Vietnam. None of our children are convicted of crime or robbery. All of them are being imprisoned because they have dared spoken of Peace and Independence, a most profound desire of all the Vietnamese people after years and years of war. Our children were arrested and barbarously tortured. They have been denied food and drink, even medicine when they are sick. The limited amount of medicine provided to the prisoners by the American aid have been continuously smuggled or stolen by the prisons' authorities. We only learn about the terrible living conditions of our children through statements by recently released prisoners and report made by the U.S. Representatives ANDERSON and HAWKINGS after their investigation of Con Son Tiger Cages and the living conditions of the prisoners.

However, up to the present time, we still have not been allowed to visit or keep in touch with our children despite renewed requests. We have no means to send food to them at all. Only one exception has been given to those mothers who were allowed to visit their children once on August 25, 1970 at the Chi Hoa prison. We have witnessed our children's health situation. After continuous beatings, their bodies were swollen; when they were allowed to see us, they could not even walk and had to be helped by two guards. Such is the actual result of our government system of repression.



INTERNATIONAL PIRATES RICHARD MILHOUSE NIXON (right) SPIRO AGNEW (left) PLOTTING THEIR MURDEROUS STRATEGY AGAINST THE PROGRESSIVE PEOPLE OF THE THIRD WORLD

Most of our children were tried by the Military Field Court, a Court which was held unconstitutional by the Supreme court. Yet, our children have not been released. Some of them have never been tried at all.

As a father, as a leader, you are coming to Vietnam to understand our people's aspirations for Peace and Justice. We, the Vietnamese mothers, want to speak out the terrible sufferings of thousands of mothers who have their children being tortured and ill-treated in jail. We wish to directly inform you about the crimes committed under the prison system of South Vietnam. We hope to have privilege of meeting you while you are here.

You would have to agree that the U.S. Government somehow has to be held jointly responsible for the prison system in South Vietnam, since:

-The police forces which arrest and repress our children are being paid by the Americans.

-The equipment used by the police to repress, torture and jail our children are part of the U.S. aid. The tear gas, the rockets used to repress them are "made in U.S.A." We actually witnessed the terrible repression being carried out right in front of the U.S. Embassy when we and our foreign friends demonstrated against the prison system on July 11th, 1970.

-The Phoenix operation, the result of which a great number of "suspected" Vietnamese people have been arbitrarily arrested and imprisoned directly by American authorities in Saigon.

-In the military operations, U.S. and Allied Forces have arrested and tortured many innocent Vietnamese farmers at the Intelligence Agencies or turned them to the South Vietnamese government for further detention without any "due process of law".

-Our children witness the presence of American Advisors at the prisons. They know that more aid is being given to build more and bigger prisons.

Before such evidence it would be hard to deny and just say that the U.S. is not responsible for the prison system of South Vietnam. The role of the American Advisors should be to improve the prisoners' conditions, not merely watch the tortures done to our children who suffer from hunger, thirst, disease, and survive in agony in jail.

We wish to meet you and let you know more specifically about our concern. May we ask you to convey to President NIXON, the American Government and the U.S. Congress our requests that urgent improvement on the prison system can be done. Our requests are primarily the following.

1. No citizen shall be arrested without lawful ground.
2. All prisoners should be provided with proper food and drink, and should be given appropriate care when they are sick.
3. The prisoners' relatives should be allowed to correspond, visit and send extra supply to the prisoners.
4. The prisoners should be allowed to write to their families.
5. Relatives of prisoners should be immediately reported (i.e. notified) when the prisoners are arrested.
6. Corruption practice in prison should be immediately abolished so that our children's food rations are not taken away.
7. Te present policy of using non-political prisoners (criminals, thieves...) to watch political prisoners should be immediately abolished.
8. Our children should be allowed to do some reading in jail for their own culture.
9. The prisoners whose jailterms have expired must be immediately released.
10. Those prisoners who have not been tried should be released or put on further trial by a constitutional, civil court.
11. Those prisoners who were tried by the Military Field Courts should be released or retried by a civil court if they are supposed to be guilty.
12. The old, sick and under-age prisoners should be released.
13. There should be a change in the jail staff system.
14. Tiger cages, cattle cages, mysterious caves, separate cells, discipline cells and rooms used for inhumane tortures should be abolished, not only at Con Son but also in all the prisons throughout South Vietnam.
15. The "Coolies of the Battle-fields" system used for military prisoners and "released" political prisoners should be abolished.
16. When a prisoner dies, his body should be returned to his family for proper burial.

We also ask you to urge the American authorities to immediately end their acts of cruelty toward political prisoners and instruct them about our above mentioned requests.

In short, we want our children to have enough food, drink and medicine; their physical as well as moral life to be decently dealt with. They are not criminals but young courageous people who dared to stand up an voice for Peace. PEACE IS THE DEEPEST ASPIRATION OF ALL THE VIETNAMESE PEOPLE. Therefore, our children who are struggling for the cause of Peace and have been arrested and barbarously tortured should be considered as "PEACE HEROES".

Hoping that thanks to your responsible and efficient intervention, our children will soon be removed from their present inman prison system of South Vietnam, may we convey to your family our best wishes of luck and happiness.

Respectively yours,

Representatives of the Mothers whose children are being detained in the various prisons throughout South Vietnam, in the Tiger Cages, in the Disciplinary Cells...without trial or tried by unconstitutional courts, or have served their jail-term or have been arrested during military operations (U.S, V.N, Allied).

BOBBY'S APPEAL

PART XII

VII. APPELLANT'S CONVICTION VIOLATES DUE PROCESS BECAUSE HE WAS NOT ADEQUATELY WARNED THAT HIS CONDUCT WOULD BE CRIMINALLY PUNISHED.

A potential contemnor must be warned by the trial court that certain kinds of conduct will be subject to criminal contempt penalties before such penalties can be imposed. In Illinois v. Allen, 38

U.S.L. Wk. 4247, 4249 (1970), where the Supreme Court held that an unruly defendant might be removed from his own trial, the Court explained that such a defendant must first be "warned by the judge that he will be removed if he continues his disruptive behavior." (186) And the Ninth Circuit has required "prior positive notification that a criminal (contempt) penalty might be imposed....(187)

(186) Mr. Justice Brennan, concurring, cautioned that "no action against an unruly defendant is permissible except after he has been fully and fairly informed that his conduct is wrong and intolerable and warned of the possible consequences of continued misbehavior." (Id. at 4251; emphasis added)
(187) Daschbach v. United States, 254 F.2d 687, 691 (9th Cir. 1958); Yates v. United States, 227 F.2d 848 (9th Cir. 1958). In both, the Ninth Circuit reversed because of the absence or inadequacy of warnings that defendant's conduct would subject him to criminal contempt penalties. See also, In re Hallinan, 459 P.2d 255 (Cal. 1969). The standard for warnings to attorneys may be somewhat lower. See United States v. Schiffer, 351 F.2d 91 (6th Cir. 1965).

The Sixth Circuit has said that warnings in contempt cases are "desirable". The Second and Ninth have pointed out that a judge might mislead a contemnor by neither noting nor punishing his conduct when it occurs. United States v. Schiffer, supra, 351 F.2d at 95; United States v. Dennis, 183 F.2d 201 (2nd Cir. 1950); Yates, supra.

For cases where warnings were given, see, e.g., Sacher v. United States, 343 U.S. 1, 10-11 (1952); 182 F.2d 416, 429, 459 (2nd Cir. 1950); United States v. Green, 176 F.2d 169 (2nd Cir.), cert. denied, 338 U.S. 851 (1949); Offutt v. United States, 348 U.S. 11, 12 (1954); United States v. Dennis, 183 F.2d 201, 224 (2nd Cir. 1950); United States v. Sternman, 415 F.2d 1165, 1167, 1170 (6th Cir. 1969); In re Atterbury, 316 F.2d 106, 107 (6th Cir. 1963); Wong Gim Ying v. United States, 231 F.2d 776, 778 (D.C. Cir. 1956); Appeal of the United States Securities and Exchange Commission, 226 F.2d 501 (6th Cir. 1955); United States v. Bollenbach, 125 F.2d 458 (2nd Cir. 1942); United States v. Bradt, 294 F.2d 879 (6th Cir. 1961); Brown v. United States, 356 U.S. 148 (1958); Johnson v. United States, 344 F.2d 401 (5th Cir. 1965); Shibley v. United States, 236 F.2d 238 (9th Cir. 1956), cert. denied, 352 u.s. 922 1967); United States v. Rinieri, 308 F.2d 24 (2nd Cir. 1962), cert. denied, 371 U.S. 935 (1962).
(END OF FOOTNOTES)

There are several reasons why such warnings are necessary. The first is the vagueness of 18 U.S.C. *401(1), which describes the conduct prohibited as contempt in only the broadest of terms--"misbehavior in the presence of a court." (188) Since *401(1) necessarily touches upon and limits the exercise of several important constitutional rights, including the rights to counsel, to confront witnesses, to a public trial, and to free speech, clarity is particularly important lest those rights be chilled into disuse (189). Clarity is also essential in a contempt statute because of the absence of procedural protections in the contempt area and the resulting potential for arbitrary action. Finally, the broad review power accorded federal appellate courts in contempt cases cannot intelligently be exercised without a reasonably precise standard of guilt and innocence (190).

(188) The term "misbehavior" provides as little guidance for action as do phrases such as "injurious to public morals and "prejudicial to the best interests of the people", both of which have been ruled unconstitutionally vague. Musser v. Utah, 223 P.2d 193 (1950); Gelling v. Texas, 343 U.S. 960 (1952). In the absence of a clarifying warning this language appears to forbid the "doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application and thus to violate the first essential of due process." Connally v. General Const. Co., 269 U.S. 385, 391 (1926).

Moreover, the gloss commonly placed on * 401(1), that it applies only to misbehavior which obstructs the administration of justice, does not add appreciable clarity. Assuming one can decide what is meant by the rather vague phrase "obstruction of the administration of justice", it is still necessary to decide whether an obstruction is misbehavior, as opposed to normal, unavoidable, or constitutionally protected behavior.
(189) Compare N.A.A.C.P. v. Button, 371 U.S. 415, 432 (1963); Smith y. California, 361 U.S. 147, 150-51 (1959).
(190) Green v. United States, 356 U.S. 165 (1957); Note, 109 U. Pa. L. Rev. 67, 80 and n. 72 (1960).
(END OF FOOTNOTES)

In issuing such warnings, a judge, in his role as governor of the trial, announces rules of conduct which he intends to enforce at that particular proceeding (191). Clarity in those rules, constitutionally required at both administrative proceedings, Raley v. Ohio, 360 U.S. 423 (1959), and street meetings, Cox v. Louisiana, 379 U.S. 559, 568-73 (1965), is particularly appropriate at such a formal proceeding as a trial. In this respect direct contempt under * 401(1) resembles indirect contempt for violation of a court order under * 401(3); in the latter case the court order establishes a particular rule which a party must obey, and the statute provides authority to punish violations only so long as the enjoined party knew of the order and understood it (192).

(191) A judge need not wait for an actual incident to issue such warnings or lay down particular rules of conduct; he may do so at the commencement of the trial if he feels such action is warranted. In many cases the sort of behavior most likely to seriously impair a trial, such as assaulting a judge or prosecutor, attempting to influence a juror, perjury, threatening a witness, stealing or altering court records, and eavesdropping on the deliberations of a jury, is a clearly defined statutory crime which requires no special warning. See 18 U.S.C. ** 111, 1114, 1503, 1504, 1506, 1508, 1621, 1622.
(192) In Longshoreman's Asso. v. Marine Trade Asso., 389 U.S. 64,



We look around in the world today, and we look around at home right now, and we see that oppression exists. We know that the workers are exploited, and that most of the people in this country are exploited, in one way or another. We know that as a people, we must seize our time.

79 (1967), the court, reversing a contempt conviction for violating an injunction, explained:
The judicial contempt power is a potent weapon. When it is founded upon a decree too vague to be understood, it can be a deadly one....We do not deal here with a violation of a court order by one who fully understands its meaning but chooses to ignore its mandate. We deal instead with acts alleged to violate a decree that can only be described as unintelligible. The most fundamental postulates of our legal order forbid the imposition of a penalty for disobeying a command that defies comprehension.
See Green v. United States, supra.
(END OF FOOTNOTES)

Even were * 401(1) crystal clear, however, warnings would still be required since they may suffice to control and deter misconduct. Section 401(1) cannot be applied to all instances of technical contempt; the contempt power can only be invoked as a last resort, when other less drastic methods have failed (193). Moreover, precisely because other methods are available, a potential contemnor has no way of knowing, without some indication from the judge, whether the consequences of his continued misbehavior will be physical restraints, exclusion from the courtroom, civil or criminal contempt. Compare Illinois v. Allen, supra.

(193) In re Michael, 326 U.S. 224, 227 (1945); Shillitani v. United States, 384 U.S. 364 (1966).
(END OF FOOTNOTE)

The twelve statements by the trial court to appellant which might plausibly be described as warnings are set out below (194).

(194) (1) October 8, the court stated:
I will direct the jury to disregard the incident but I shall deal appropriately in due course with the incident. (TR 1409-1410)
(2) On October 20, the following occurred:
THE COURT: Mr. Seale, I must admonish you that any outburst such as you have just indulged in will be appropriately dealt with at the right time during the trial and I must order you not to do it again.
MR. SEALE: In other words, Judge--
THE COURT: If you do, you do it at your own risk, sir.
MR. SEALE: In other words, you are saying you are going to put me in contempt of court for speaking on behalf of myself?
THE COURT: I will not argue with you. Mr. Marshall--
MR. SEALE: Is that what you're saying to me? I mean I want to be clear
Despite this rebuke, appellant pressed his question:
MR. SEALE: ...I have explained to you in the past what the situation was. I was put in jail and everything else. Now you are saying you are going to put me in jail, you are going to put me in jail, that's one thing. You are going to put me in contempt of court because I am speaking on behalf of myself.
To which the court replied mysteriously:
THE COURT: I didn't put you there, sir.
MR. SEALE: Because I am speaking in behalf of myself to have a right to defend myself.
THE COURT: Yes, sir. (TR 3145-49)
It is not clear whether the "there" is "in jail" or "in contempt", or something else, or whether the "yes" was a reaffirmation of the court's prior statement or an answer to some question of appellant's. It is not even clear whether the "jail" and "contempt" asked about were civil or criminal.

Appellant was subsequently cited for contempt because of the incident at issue.

(3) On October 20, at the end of the afternoon session and after the jury had been excused for the day, the court made the following statement:
Gentlemen, I want to say just one word and my remarks are addressed particularly to Mr. Seale. Several times during this trial he has disobeyed the injunction of the Court not to stand and talk out. I feel that in fairness to him I should admonish him and his lawyers as well, to the extent that they have influence over him, that there is competent authority for dealing with a defendant who persists in talking out against the order of the Court and I want Mr. Seale to know that (TR 3267-68)

(4) On October 22 the court made the following statements:
Mr. Seale and Mr. Kunstler, your lawyer, I must admonish you that such outbursts are considered by the Court to be contemptuous, contumacious (headstrong), and will be dealt with appropriately in the future.
* * *
THE COURT: . . . I admonish you, Mr. Seale, that outbursts such as you have just been guilty of will be appropriately dealt with at a proper time in the future. (TR 3600-01)
Appellant was subsequently cited for contempt because of the incident at issue.

(5) On October 22 the court stated:
If you continue with that sort of thing, you may expect to be punished for it. I warned you right through this trial and I warn you again, sir. (TR 3641)
Appellant was subsequently cited for contempt because of the incident at issue.

(6) On October 28 the following occurred:
THE COURT: Let the record show that the defendant Seale keeps on talking without the approval of the Court and in spite of the admonition of the Court and in contempt of the Court.
* * *
THE COURT: . . . I admonish you, sir, that you have a lot of contemptuous conduct against you.
THE COURT: You may sit down. I must admonish the defendant and his counsel --
MR. SEALE: Counsel ain't got nothing to do with it. I'm my own counsel.
THE COURT: You are not doing very well for yourself.
* * *
THE COURT: I am warning you, sir, that the law --
* * *
THE COURT: I am warning you that the Court has the right to gag you. I don't want to do that. Under the law you may be gagged and chained to your chair.
* * *
THE COURT: The court has that right and I -- (TR 4610-4616)
Appellant was subsequently cited for contempt because of the incident at issue.

(7) On October 29 the following occurred:
THE COURT: Let the record show the tone of Mr. Seale's voice was one of shrieking and pounding the table and shouting. That will be dealt with appropriately at some time in the future.
* * *
THE COURT: . . . I am telling you now that if you interrupt these proceedings again, I will take steps.
* * *
THE COURT: If you speak once again while the jury is in the box and I have to send them out, we will take such steps as are indicated in the circumstances. (TR 4634-41)
Appellant was subsequently cited for contempt because of the incident at issue.

(8) On October 29 the following occurred:
THE COURT: Mr. Seale, I have admonished you previously --
MR. SEALE: I have a right to cross-examine the witness.
* * *
THE COURT: We are going to recess now young man, if you keep this up --
* * *
THE COURT: I will tell you that what I indicated yesterday might happen to you -- (TR 4720-21)
Appellant was subsequently cited for contempt because of the incident at issue.

(9) On October 29 the court made the following statements:

Mr. Seale, do you want to stop or do you want me to direct the marshal -- (TR 4762-63)

Following this incident appellant was bound and gagged. Appellant was not subsequently cited for contempt because of the incident at issue.

(10) On October 30, the court addressed appellant in the following manner:
I would like to get from you, sir, your assurance as an American citizen that you will not be guilty of any disruptive act during the continuance of this trial. May

continued on next page

BOBBY'S APPEAL

continued from last page

I have that assurance? The alternative you know about, I am sure. You know that if you continue to be disruptive the Court will have to deal appropriately with your conduct. (TR 4854)

(11) On October 30 the court made the following remark:
I must tell you, sir that time is running out. If you are going to persist in this sort of thing, the Court will have to deal appropriately with your conduct. (TR 4933)
Appellant was subsequently cited for contempt because of the incident at issue.

(12) On November 3 the court made the following remarks
You have been cautioned with as much force as I have.
* * *
If you continue, I shall have to deal appropriately with the situation. (TR 5069-70)
Appellant was not subsequently cited for contempt because of the incident at issue.
(END OF FOOTNOTE)

These statements are deficient (lacking) in four serious respects.

First, they contain no clear warning that appellant wold be subject to criminal contempt penalties because of his conduct. On seven occasions the court threatened mysteriously to "deal appropriately" with appellant (195). Appellant plainly had no way of knowing what the trial court did, could, or would consider an "appropriate" manner of dealing with him. The second time the court issued this rather vague threat, appellant explicitly asked if he was being threatened with contempt, but the trial court refused to answer his question (196). Other such statements by the court are even less informative (197). Later the court labeled appellant's acton as contemptuous (198), but did not indicate whether any particular consequence attached to contemptuous actions.

(195) Nos. 1, 2, 4, 7, 10, 11, 12, supra, n.194. The words "deal appropriately" cannot have assumed any particular meaning, since the trial court also used the same phrase with regard to other court business. See, e.g., TR 1606-08.
(196) No. 2, supra, n. 194. See also, TR 4343-44:
THE COURT: Now you just keep on this way and --
MR. SEALE: Keep on what? Keep on what?
THE COURT: Just sit down.
MR. SEALE: Keep on what? Keep on getting denied my constitutional rights?
THE COURT: Will you be quiet?
(197) See Nos. 3 and 9, supra, n. 194.

(198) TR 3600, 4610.

(END OF FOOTNOTES)

Since as noted supra, contemptuous conduct is not necessarily subject to criminal contempt sanctions but can be dealt with by a variety of remedies or overlooked entirely, the "warnings" given appellant were well calculated to convey a maximum amount of undifferentiated fear with a minimum amount of information. The trial court's opaqueness (unclearness) is this regard was manifestly unjustified (199).

(199) Since all but the first statement were made outside the presence of the jury, a clear warning on the spot could not have prejudiced the jury.
(END OF FOOTNOTE)

Second, the inadequacy of the purported warnings was substantially aggravated by the fact that the trial court threatened (200) to direct marshals to bind and gag appellant. The explicit threats alone would have been sufficient to suggest that this was what, and indeed all, the court had in mind when it issued the vaguely worded statements noted above. This impression was necessarily strengthened when for several days of the trial appellant had reason to believe not only that binding and gagging would be the only consequence of any future misconduct, but also that the binding and gagging which he had already suffered was intended to relieve him of any other consequences of his earlier actions. In this respect the instant case is indistinguishable from Yates v. United States, 227 F.2d 848 (9th Cir. 1955), and Daschbach v. United States, 254 F.2d 687 (9th Cir. 1958), where convictions were reversed because in each case the trial court, before resorting to criminal sanctions, had attempted to enforce its orders by civil contempt and after doing so failed to caution the contemptors that they might "yet be subject to a definite penalty for contempt and that the coercive restraint (was) not intended to relieve (them) of the punishment for the criminal refusals which (they had) already uttered." Yates, 227 F.2d at 850-51. The warnings given to appellant fell far short of the required "prior positive notification that a criminal penalty might be imposed in addition to...restraint during the progress of the trial." (201)

(200) TR 4616, 4762-63.
(201) Daschbach, 254 F.2d at 691-92, nn. 7 and 8. The warnings held inadequate in Daschbach included the following: "...but I do ask the defendant to carefully consider the possible result of refusing to follow the Court's directions"; "The Court takes no pleasure in imposing any punishment or any coercive measures on any witness or defendant. They came to the Court knowing full well what the possible or probably result may be"; "(W)itnesses in any orderly system must abide by the Court's rulings or, if he chooses not to, he must abide the consequences that follow thereupon"; "(The witness) has refused or defied the Court's ruling, and so long as he sees fit to do so the Court, of course, can only exercise its powers in that respect during the couse of the trial or litigation. What punishment there may be in addition thereto is another matter and the Court doesn't indicate that there will or will not be any...."
(END OF FOOTNOTES)



Third, the manner and timing of the purported warnings necessarily created confusion as to what conduct was impermissible. The record indicates that appellant spoke on approximately 56 occasions during the six weeks of his abortive trial (202). On at least four of these occasions the trial court explicitly authorized him to make a statement. (203) On 13 other occasions the trial court neither forbade nor otherwise noted appellant's remarks (204). Thirteen times the trial court responded to a question or request by appellant without indicating that appellant had committed any misconduct by merely uttering the question or request (205). In seventeen instances the court either asked appellant to be quiet or directed a marshal to quiet him or to make him sit, without stating that it contemplated doing anything about those actions at a latter time (206). And on ten occasions the trial court responded to appellant's conduct by issuing one of the "warnings" discussed earlier (207).

(202) TR 391-92, 465, 698, 1409, 1486, 1488, 1665-66, 1668, 1994, 2204, 2206, 2700, 3033-34, 3035-37, 3121-48, 3145-49, 3252, 3368-69, 3534-36, 3599-3601, 3638, 3640-41, 3764, 3951-52, 3959, 4025, 4069, 4085, 4218-22, 4269, 4325-26, 4342-46, 4388, 4392-93, 4607-17, 4632-42, 4719-28, 4752, 4762-63, 4766-67, 4767-68, 4798-99, 4814-16, 4845, 4846, 4930-34, 5013-18, 5031-32, 5063-70, 5233-38, 5289-90, 5355, 5356-68, 5359, 5362-64, 5404-07. The figure is approximate because the decision as to whether two remarks are part of the same or different incidents is necessarily arbitrary to a degree.
(203) TR 391-92, 3033-34, 3121-48, 4760-67.
(204) TR 1488, 2204, 2700, 3638, 3959, 4025, 4269, 4798-99, 4715-16, 4814-16, 4846, 5031-32, 5359.
(205) TR 698, 1486, 1668, 1994, 3035-37, 3252, 3368-69, 4085, 4325-26, 4388, 5289-90 5355, 5362-64.
(206) TR 465, 1665-66, 2206, 3534-36, 3764, 3951-52, 4069, 4218-22, 4342-46, 4392-93, 4752, 4767-68, 4845, 5013-18, 5233-38, 5356-58, 5404-07.
(207) See supra, n. 194. Remarks Nos. 3 and 10 were not made with regard to any particular conduct by appellant.
(END OF FOOTNOTES)

This pattern of responses necessarily suggested to appellant that the only conduct, if any, which the court regarded as serious enough to warrant possible future action was that during the ten incidents in which some sort of "warning" was issued. In fact, however, while the trial court ultimately did cite appellant for contempt because of seven of those incidents (208) in seven of those incidents, the court also cited appellant for nine incidents (208) in which no "warnings" were given, including two incidents which the court had not even noted at the time (209). The court's actions thus misled appellant not only as to the seriousness of particular incidents, but also as to their permissibility. Compare Cox v. Louisiana, supra, 379 U.S. at 568-573; Raley v. Ohio, supra.

(208) The incidents commencing at TR 3, 2206, 2700, 3534, 4217, 4342, 4752, 4314 and 5404.
(209) The remarks at TR 2700 and 4814-16.
(END OF FOOTNOTES)

Fourth, the significance of the court's "warnings" and the validity of its orders were called into question by its conduct toward defense and prosecuting attorneys. The court's hostility towards the defense is described in detail infra, at pp. 159-65. Particularly relevant here are threats--both veiled and explicit--levelled by the trial court at the defense attorneys for conduct which neither a layman nor a lawyer would have thought improper: suggesting that the jury was tainted; (210) alleging prejudice by the judge in a motion to disqualify; (211) and complaining of an attempt by the prosecution to intimidate the defense (212). On the other hand, the trial court consistently refused to take any action against the United States Attorney and his assistants when they called the defense attorneys names in the presence of the jury, and even tried to coerce all the defendants, but appellant in particular, into waiving their Sixth Amendment rights (213). The court's actions gave appellant every reason to believe that the rules to which he was subject arose solely out of the trial court's prejudice against the defense, and to doubt whether the orders were either valid or enforeable.

(210) TR* 254.
(211) TR 279-80.
(212) TR* 107. None of these acts were ultimately punished by the trial court as contemptuous.
(213) See infra, pp. 162-65.
(END OF FOOTNOTES)

All these deficiencies in the "warnings" were compounded by the absence of appellant's chosen counsel. One of the reasons why counsel is needed at criminal proceedings is to advise the defendand as to the procedures and rituals to be observed, as to which of the court's orders may be erroneous, as to whether the erroneous rulings must nonetheless be obeyed, and as to the probable consequences of particular acts of disobedience. At least in the absence of such essential advice, the court must provide clear warnings before it can impose contempt penalties.

Due process requires that defendant not be punished for conduct which he was not fairly notified was criminal. Both the language of * 401(1) and the limitations on its use create substantial question as to what conduct is punishable under that provision. The trial court failed in its responsibility to make clear to appellant what consequences would be entailed by what types of actions; its purported warnings were "far too wavering, confused and cloudy to sustain its conviction." Scull v. Commonwealth of Virginia, 359 U.S. 344, 353 (1959).

TOMMY WALKER: VICTIM OF PIG INJUSTICE

"Tommy Walker is getting out (of prison) after a twelve year sentence. The prison aurhorities manufactured criminal charges against him for assaulting a pig. They're moving him from prison and taking him to Marin County Jail to process him on charges of assault. The assault that they are talking about happened about a year ago and the guard who they say Tommy assaulted swears up and down that Tommy didn't do it. He quit his job because they tried to make him say that Tommy Walker assaulted him. They don't want that brother out on the streets. Think about it. At the end of twelve years--he did his full time--they gave him shock treatment, they beat him in the behind, they beat him in the head...They took him into Folsom once in chains and let him lie on the floor and kicked him and let him bleed but he wouldn't break. There are people in here who won't break." George Jackson

REPRINTED FROM THE SAN FRANCISCO WILDCAT
October, 1970

TO ALL THOSE DEDICATED TO THE STRUGGLE

The war against the beast, the oppressor of the people, I feel it is my duty to report the lowlife behavior of the pigs in Wheeling, W. Virginia.

On the evening of Friday, October 9th, brother Frank Woods and two sisters, Bernaise Taylor and Darlene Bennett were enroute from my pad to Frank's father's home in Wheeling, W. Va. Before they reached their destination, they were stopped by the pigs, for what the pigs called being suspicious looking, then the pigs threatened and harassed the sisters, while they took brother Frank at gun point to the pig pen.

When brother Frank refused to show identification due to the fact that his name is on their black ball list, as well as mine, for standing up for our people. Being two against the beast was bad enough but our attacks on the fascist system were halted mainly because of the house niggers and the uncle toms who oink and squeal just like White pigs. So to try to evade these pigs, we left to find a more suitable ground to fight on. We first chose Detroit, then switched to Columbus, Ohio because it wasn't far from W. Va. and we could still slip back and strike at the enemy. But fate, thrust brother Frank into the oinking midst of the pig where he is now being held as a political prisoner, without bond, on numerous trumped up charges. I have been warned after making a call to the pig pen, to see what assistance I could give, that if I show my face there, I will be shot on sight. But what the pigs don't realize is that when and if Frank gets a trial the people will be there.

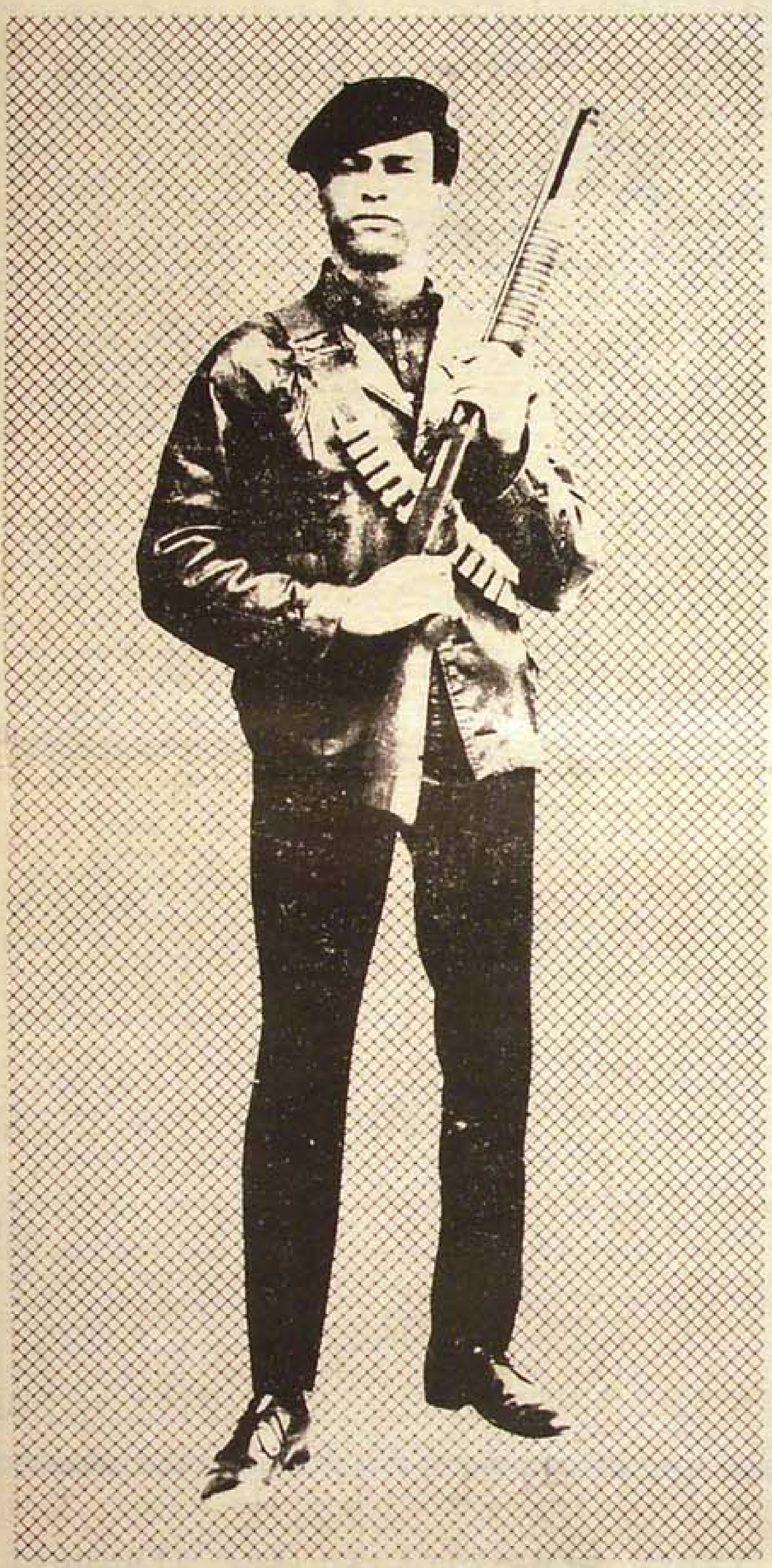
We must all understand the ultimate of death, don't let the filthy pig, threat of it halt you from trying to gain our freedom.

ALL POWER TO THE PEOPLE

BLACK PANTHER PARTY
Columbus Chapter
Ron Asher

October 1966
Black Panther Party
Platform and Program

What We Want
What We Believe



Huey P. Newton Minister of Defense
Black Panther Party

1. We want freedom. We want power to determine the destiny of our Black Community.

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the CAPITALIST of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

4. We want decent housing, fit for shelter of human beings.

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

7. We want an immediate end to POLICE BRUTALITY and MURDER of black people.

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails.

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

9. We want all black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. **That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.** Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. **But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.**



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"You can jail a revolutionary but you can't jail the revolution. You can run a freedom fighter around the country, but you can't run freedom fighting around the country. You can murder a liberator but you can't murder liberation."--Fred Hampton, Deputy Chairman, Ill Chapter of the Black Panther Party -- Born: August 30, 1948. Murdered by fascist pigs: December 4, 1969.

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Chairman Bobby Seale, and Minister of Defense Huey P. Newton 1.00 each



"After three hundred years of slavery and caste oppression, unmitigated terror and torture, physical and otherwise--which continues today though opposed by every means possible of human conception--while all the time remaining faithful to this government in time of war and peace, we feel the United Nations must give a hearing to the plight of Black Americans."--Brother Malcolm (left to right) Eldridge Cleaver, Huey P. Newton, Malcolm X, Bobby Seale 1.00 each



"If we worry about what's going to happen to us, we couldn't accomplish anything...Justice is gonna come when the masses of people rise up and see justice done...The more they try to come down on us, the more we'll expose them for what they are...PIGS."

Chairman Bobby Seale .25 each



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Huey P. Newton, Minister of Defense, Black Panther Party 1.00 each



"Wherever death may surprise us, it will be welcome, provided that this, our battle cry, reach some receptive ear, that another hand stretch out to take up weapons and that other men come forward to intone our funeral dirge with the staccato of machine guns and new cries of battle and victory."--Che Guevara .10 each



Poster of Eldridge Cleaver Minister of Information Black Panther Party 1.00 each



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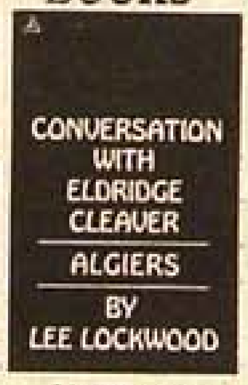


One of our main purposes is to unite our brothers and sisters in the North with our brothers and sisters in the South. .10 each



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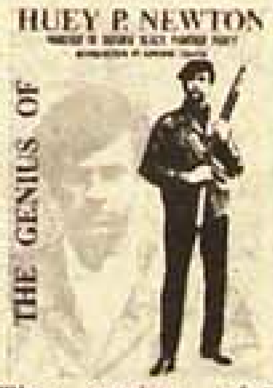
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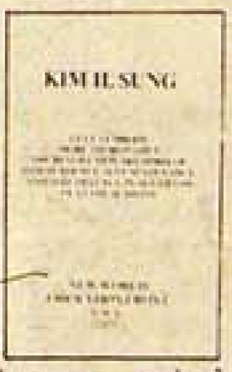
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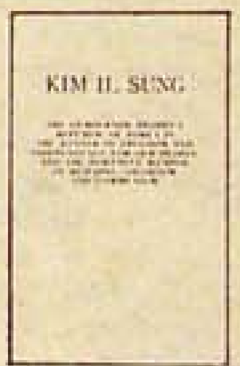
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The Democratic People's Republic of Korea is the banner of freedom and independence for our people and the powerful weapon of building socialism and communism. (Report at the Anniversary Celebration of the founding of the D.P.R.K.-- September 7, 1968) .25 each

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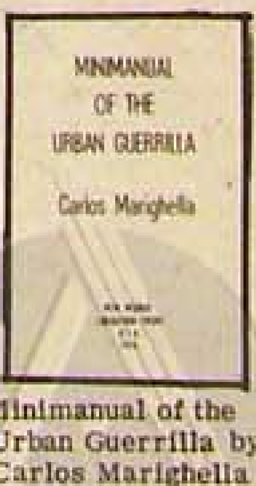
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WE WILL HAVE VENGEANCE;
WE WILL PUNISH THE CORRUPT
U.S. GOVERNMENT AND ALL OF
ITS RUNNING DOGS
EMORY